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ABSTRACT

The study has presented a case history of the evolution, passage, and early implementation in vocational education of a Massachusetts law, the first of its kind in the country, designed to counter practices and policies in public education which resulted in students receiving different treatment solely on account of their sex. Analysis of the Federal and State legislative history from 1906 until the present has revealed that early legislation encouraged the separation of vocational programs by sex as a way of meeting what was then viewed as the special needs of girls. Later legislation continued this separatism, leading to the isolation of vocational education programs for females. Analysis of the data pertaining to Massachusetts' vocational education has clearly demonstrated the existence of a separate system of education in which females have not participated equally with males. The study recommends a series of corrective actions which the State Board of Education could undertake. The 90-page appendix contains separate system data from localities and regions, supplementary documents (student questionnaire, Chapter 622 recommendations/regulations/policy statements and educational specifications in response to Chapter 622), and selected references. (Author/EA)

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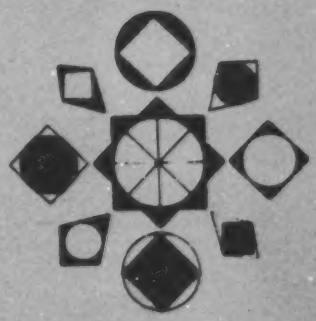

FINAL REPORT

CHAPTER 622: MASSACHUSETTS LAW, WOMEN AND VOCATIONAL EDUCATION

National Institute of Education Project No. 3-0046

Regina Healy and Diane Lund, Principal Investigators

Organization for Social and Technical Innovation, Inc.
Lincoln Road, Lincoln, Massachusetts 01773

September 1975

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FOREWORD

When Chapter 622 of the Acts of 1971 was signed into law by the Governor of the Commonwealth of Massachusetts, it became the first law of its kind in the country. It stood alone as an attempt to use the legal process to counter practices and policies in public education which resulted in students receiving different treatment solely on account of their sex. The scope of Chapter 622 was undefined and its language was sufficiently general to make its ultimate thrust uncertain. These characteristics were useful to people on the outside, but they also enabled people on the inside to decline to develop an initial response to the law. In the early days, Chapter 622's central value was as a catalyst; it started the dialogue.

This report constitutes a case history of that law and that dialogue: how and why it was passed, why it was given the form it has, and what, three years later, appear to be its effects. It is the product of many committed people. Harvard Law students Lori Blair, Bari Boyer and Judy Berkan contributed research activities. OSTI researcher Laura Friedman committed many hours to sorting through and evaluating the quantitative data. Regina Healy supplied the vision of and enthusiasm for a different, more equitable educational system that sent us back time after time to explore new and profitable avenues of investigation. Diane Lund's research into the legislative history constitutes one of the major contributions of this report, just as her productivity and tough mindedness maintained the effort through its duration. From Joanne Ross' and Joan Wofford's visits to institutions came a broader understanding of the complexities of organizational behavior. And their thanks go to the many helpful and insightful educators who shared their time and views.

To OSTI, and OSTI President Joan Wofford, go our thanks for housing and sustaining this effort through its long life. And to Lee Schofield, OSTI Production Manager, our gratitude for the shape of the final report.

In the course of preparing this report, we realized again that our concerns were not new. Adequate preparation in the public schools of girls and women for adult roles was not a new problem. The arguments we made for the passage and implementation of Chapter 622 have been made before. We are part of the second wave. Discovering Bertha Pratt King's article on "Vocational Education for Girls" was like encountering one of ourselves, and yet this is the voice of a woman writing in 1917:

I believe the solution of every girl's problem is that, just like her brother, she should prepare for some useful work. Like the boy, when prepared, she should go out and look for a job. Her choice of work is what she likes and what she is trained for. Men no longer own all the jobs. We know now that all work is human; that no work belongs to a man because he is a man nor to a woman because she is a woman. Work belongs to the man or woman who can do it best, and the joy or reward belongs to that man or woman.

If our girls are not trained to the right use of their gifts and their powers then our girls will suffer. That a girl should have an intellectual life, that she should have an interesting mind, that she should have her own career if she wants it, that a girl should be preparing for whatever work in life she desires -- this is recognizing the worth of a girl. She has a right to be a human being of large knowledge, great feeling and wide experience, capable of the tremendous work of a woman and of a human being. The greatest wrong that can be done to girls is for fathers and mothers to deny them these fundamental human rights and to nurse in them romantic ideals of grandly ornamented idleness.

In these trying years when girls are realizing the necessity of such work we should give them every guidance and advice. Let us do for them what we would do for our boys. Let us teach them to acquire a serious work, to stay by it, to succeed in it. We women of today did not have to face these problems in our girlhood, but so speedily has the freedom of women come upon us that our girls stand on the borderline of a most confused future.

CHAPTER I: EFFORTS TO CHANGE THE SYSTEM

A. PROPOSING AND PASSING THE LAW

Chapter 622's story begins with concern over the plight of poor women. We first inquired into the reasons for poverty among female-headed families in September of 1970, while we were working for the Massachusetts Law Reform Institute, an OEO funded state wide agency addressing issues related to the legal barriers encountered by the poor. Although at that time fairly strong welfare rights organizations were active in Massachusetts, neither the organizers of these groups nor their female membership had responded to the fact that 95% of all welfare families in the United States were headed by women. [1] For the most part, Massachusetts women on welfare were spending full time at the job of raising children, a non- income-generating occupation. But this was not the only explanation of their need for welfare.

Women, and especially low income women, had not begun to make substantial gains in combating job discrimination. The unemployment rate for women was substantially above that for men, as it has always been, and wages for typically "female" jobs were much lower than those for "male" jobs. [2] It is important to note that in 1970 the U.S. Labor Department estimated that even if free child care were available, a full three quarters of all welfare mothers would be unable to find employment which would provide an amount equal to or above their welfare grant. [3] The Department of Labor went further and said that this unfortunate situation was due primarily to inadequate job training.

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[1] Division of Program Review and Analysis, Office of Evaluation, U.S. Department of Labor, "WIN Program Review After One Year", p. 2.

[2] Report of the Twentieth Century Task Force on Employment, Exploitation From 9 to 5, p. 52.

[3] WIN First Annual Report, pp. 22-23.

We found that job training for girls in Massachusetts vocational schools was sorely lacking. In Boston, the vocational schools for boys and girls were physically separate. Boston Trade High School, which admitted only boys, offered fourteen courses of study, most of which were in recognized trades. Trade High School for Girls offered only four trades. The system of dual vocational schools for boys and girls existed in many of the large industrial cities of Massachusetts. In other communities there was a single vocational school, attended only by boys. Courses of study available to girls were severely limited in all schools.

It became apparent to us that "separate" was not "equal" for boys and girls in Massachusetts vocational programs. The age old idea that a woman could, with economic comfort, maintain her "place in the home" was undoubtedly the initial explanation for the relative absence of vocational training for women. But this idea was dependent on the presence in the family of a male bread winner, an arrangement which was no longer holding true for many families. In 1968, a sample survey conducted in Boston found that more than thirty-one percent of all Boston families with children under age 18 were headed by women. [1] These families were not dependent on the proverbial male bread winner, but instead looked to the adult woman in the household or to the state for assistance. Women in this position, who need to support families, need adequate wage-earning skills. We thought that many such skills could be acquired in public school programs of instruction. At this point in our reasoning we recognized that equal educational opportunity for boys and girls would be a step in the direction of assuring equal economic opportunities for girls and women who would seek them or need them. We decided to try to guarantee educational opportunity by law.

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[1] 1968 Statistics on Boston's Population, Action for Boston Community Development, Inc., Boston, MA.

Our next step was to convene a meeting of persons who had indicated their concern with the problems of poor and minority women. The meeting was held at the Massachusetts Commission Against Discrimination. People from welfare rights groups, the Massachusetts Civil Liberties Union, and the Massachusetts Division of Employment Security, among others, were invited. The meeting considered a number of legislative proposals intended to affect poor women. The only objective on which there was complete agreement, however, was that of achieving equal educational opportunity for girls.

Guided by this response, we proceeded to consider ways of accomplishing the desired result through legislation. Ultimately we examined and decided to use Chapter 76 of the General Laws of Massachusetts, a chapter dealing with compulsory school attendance. Section 5 of that chapter provided that: "...No child shall be excluded from a public school of any town on account of race, color or religion." Section 16 of the same chapter gave an aggrieved individual the right to ask for a statement of reasons for his or her exclusion, and thereafter the right to sue in a court of law for damages in tort. It appeared that it might be a simple matter to add sex as a proscribed basis for exclusion, but we believed the problems of discrimination in vocational programs clearly went beyond the single question of separate structures. Combining boys' and girls' trade schools would have little effect if courses remained restricted to members of one sex. Under the language of the existing Section 5, although a school could not actually exclude a child on the basis of any of the specified characteristics, disparate treatment on that basis after admission did not appear prohibited by the statute. This difficulty was overcome by proposing to revise the statute to read:

> No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or natural origin.

We also proposed to add to the remedy described in Section 16 the provision that any discrimination or exclusion "from the advantages, privileges and courses of study of such public school" would be actionable in tort.

The language of this draft was intentionally broad. We knew that although we had conferred with educators and had some knowledge of the public education system, we were not fully aware of all possible situations in which a protected child might be treated differently from others. We wanted to write a law which would cover unanticipated future situations. The words "advantages" and "privileges" were intended to apply to every aspect of a public school education. We also carefully forbade not just exclusions but also the much broader range of activities which might constitute "discrimination". We could envision that while a school might not exclude a female child from a particular course of study, that school might still discriminate against her by limiting or discouraging her participation in the course of study. We wanted to be sure to guard against this.

As the language of the bill was being worked out, we began to consider a question almost as important as the wording of the bill itself: sponsorship of the bill in the legislature. In 1970 there was no declared feminist in the Massachusetts legislature. None of the four women members of the House wielded significant power. The single woman senator was not expected to be sympathetic. The legislature itself was overwhelmingly Democratic, while the Governor was a Republican. The decisive event which solved our difficulties about a sponsor was contact with two interested and helpful women on the staff of the Democratic Speaker of the House, David M. Bartley. These women liked the proposal and acted as its advocates with the Speaker. He became sufficiently convinced of its value and significance that he agreed to sponsor it in conjunction with two

women Representatives: Ann Gannett, a Republican member of the House who had taken an early interest in the bill, and Mary Fantasia, a Democratic member. The Speaker's enthusiastic staff sent out 260 questionnaires to public senior and junior high schools throughout the Commonwealth in an effort to determine the extent of sex-segregation in public education. The 165 respondents included 19 all-male schools, 11 schools whose male enrollment was between 80 and 99 percent, and four all-female schools. Most of these schools offered occupational training programs. Many of the remaining schools maintained industrial arts programs for boys and home economics for girls, and permitted no or very limited transfer between them.

Our proposed legislation moved easily through the legislature. No significant opposition to the bill was voiced at a public hearing held March 22, 1971, before the Joint House and Senate Committee on Education. Speaker Bartley led off the testimony in support of the bill, followed by representatives of many of the groups who had attended the original organizational meeting and whom we had kept informed of the bill's progress. [1] No opposition appeared either in the House or the Senate when the bill reached the floor: no speeches marked its passage. The Governor signed the bill into law on August 6, 1971, again with no fanfare. Both local newspapers, however, noted that the new law had major implications for the elite single sex public schools serving Boston and, of course, for vocational schools. [2] No immediate changes were expected, however, because the law would not become effective until 90 days after the Governor signed it. The school year would have begun by then.

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[1] The only person testifying against the bill was a representative of Wellesley College, a private institution not affected by the bill.

[2] The Boston Evening Globe. August 6, 1971; The Boston Herald, August 10, 1971.

B. THE CLIMATE IN WHICH THE LAW WAS PASSED

At the end of the decade of the sixties and early into the seventies, there was a climate in the United States which made possible the passage of laws and the rendering of judicial decisions which appeared to vindicate the rights of women. It was a time of social activism, of upheaval in the family structure, of significant change in the role of women in the labor force. It is against this background that the passage of Chapter 622, with its goal of equal educational opportunities for girls and boys, should be viewed.

The early sixties had seen the growth of a mass civil rights movement, in which many women and men took part. The civil rights movement not only sensitized the American public to the oppression of black people, but also gave many individuals an understanding of their ability to deal with their own oppression. In the late sixties, this increased activism manifested itself in the development of a students' rights movement, of a strong movement for black liberation (a change from the early civil rights movement), of a highly vocal and visible anti-war movement, and of a movement for welfare rights. Lastly, in the late sixties, the feminist movement which had been developing for some time propelled itself forward and achieved a visible national status, with consequent ripples through the legislature and the judiciary.

The re-birth of the women's movement had been brewing for some time. Early in the decade, Betty Friedan's The Feminine Mystique was published. Though limited in scope, the book entered many homes and contributed to a growth of women's awareness of their secondary status in society. As participants within the developing student and anti-war movements, women were beginning to recognize their lack of political power, and to assert their rights. Initial efforts to change the status quo were met unenthusiastically. In response, many women at this time formed women's caucuses; others left the larger organizations to form groups of their own, specifically dedicated to the vindication of women's rights.

Such groups as WITCH, NOW, Redstockings, Cell 16, WEAL, Radical Feminists and Female Liberation had their origins at this time. Local groups also formed, many using the technique of consciousness-raising, whereby groups of women together explored the issues of feminism and the effect on their lives. The women's movement at that time also gained some national media coverage; the 1968 assault on the Miss America Pageant is an example. In general, the feminist movement, by 1969 or 1970, had reached the lives of many women. Feminist literature was widely distributed; women's studies programs had sprung up; women in many cities had set up women's centers; and a nationwide "strike" occurred on August 26, 1970, to commemorate the fiftieth anniversary of the passage of women's suffrage. Kate Millet appeared on the cover of Time magazine. Soon thereafter, Ms. magazine got its start, as did the National Women's Political Caucus. Women were demonstrating, confronting individual instances of sexism in their families and workplaces, and organizing politically. By the beginning of the seventies, women, especially women united by feminism, were being seen as a political force whose power had to be reckoned with. And women themselves were beginning to recognize this potential power.

At the same time as the women's movement was growing -- and partly as a result -- the society at large was undergoing some major changes significantly affecting women. During the sixties, the population of the United States accelerated its move from rural areas to the cities and suburbs, with a consequent shift in emphasis from agriculture to mass production. The inflated economy of that time produced a high labor demand, including a demand for women workers. At the same time, there were notable changes in the composition of the American family, also leading to increased labor force participation by women. Many women were not only participating for the first time in a mass movement to fight oppression, but their actual style of life was also changing.

The sixties saw an increase in the number of single women in America. Women have always had a longer life span than men, but in the sixties the difference accelerated. Women's longevity in 1970 was a full seven years more than men's. There was a consequent increase in the number of widows. In addition, while the marriage rate remained fairly constant in the decade, the divorce rate was on the rise, and more women, once divorced, were maintaining that status. Between 1950 and 1970, the percent of husband/wife primary families declined by 7 percentage points, from 79% to 72%. More Americans were never marrying; more women were living without men. For example, during the sixties, the percentage of 18 and 19 year olds who were single increased by a full 12 percentage points. Among 20 to 24 year olds, the increase was 6 percentage points. Between 1960 and 1970, the proportion of adult women living alone or with unrelated individuals rose 50%, to 716 million. Although much of the increase is accounted for by the older women who outlived their male companions, those women aged 20 to 34 had the fastest rate of increase: 109%, or 800,000.

This increase in the proportion of women electing single status was intertwined with the burgeoning women's movement. Often, because of the existence of the women's movement, individual women found the courage to strike out on their own. Conversely, the feminist movement owed much of its growth to the concrete conditions of the time, to the simple economic and social facts of being a single woman. Women had to be more independent, and had to take on jobs which would be viewed as primary. In addition, women had to push for the educational opportunities which could afford them these jobs. Women's dependence on men was declining.

The liberalizing attitudes toward sex which were manifesting themselves at this time had their effect, too. Birth control devices were made more readily available, and the idea of limiting family size was receiving public attention. There was a general decline in the birth rate, now that women were more needed in the labor force. The glorified motherhood of the fifties was disappearing, and the mystique of marriage was losing favor. The work of the homemaker was now less time-consuming. Time-saving household appliances were available; large families were no longer desirable; and many women were leaving their homes for the first time.

This was not the first time that women were active members of the labor force, outside the home. Working class and poor women have always been laborers, out of economic necessity. At particular times, as for example during the Second World War, unusual numbers of women have gone to work. But this time it appeared that women were out of the house for good. As of 1968 there were 29 million women in the work force, constituting 37% of the total- This was an all-time high, surpassing the previous war-time high of 36% in 1944. Fully 42% of working aged women were in the labor force. About 60% of these were married, with husbands present; about 38% were mothers with children under eight years of age. The proportion of all married women who were in the labor force also rose very quickly in the sixties, from about 1/4 to 1/3, primarily accounted for by the soaring number of women aged 35 to 45 who were returning to work after raising children.

The sixties saw an influx of many women into the labor force who had never participated before. During the decade the rate of labor force participation by women increased half a percentage point each year. But the situations which the women encountered when they tried to find work was further evidence of the oppression of women. Many

occupations were closed off to women, and those jobs with a high percentage of women were generally on the low end of the pay scale -- housekeepers, nurses, receptionists and secretaries. Women in the same jobs as men earned considerably less. And organized labor had not made a significant effort to work for the benefit of women workers, with only one out of seven women workers organized (often in the clothing trades), as compared to a rate of one out of four male workers.

Also, women sometimes had difficulty finding any work at all. As of 1969, about the same number of men and women were unemployed (i.e. out of work, but actively looking): approximately 1.4 million. This was true despite the fact that there were approximately 20 million more men in the work force than women. In 1970, the percentage of unemployed women was 1.9 percentage points higher than men, and the spread was increasing (having been only 0.5 points different in 1960).

Along with increased labor force participation by women came an increased desire for participation in politics and policy-making, and an awareness of the obstacles to realizing that desire. Although the President's Commission on the Status of Women had issued its first report in 1963, documenting the under-representation of women in many aspects of American life, the trend continued. On a national level, in the sixties, there were very few women in the House, and only one in the Senate. The same under-representation was true in the executive and judicial branches of government. Inroads began to be made in the early seventies, but the numbers of women remained small.

At the state level, women were continuing to be closed out from the system's political processes. Between 1965 and 1967, there was actually a decline in the number of women in state legislatures -- from 370 to 318. Women were also grossly under-represented in the executive branch and in the judiciary. The situation in Massachusetts at that time was

no better for women than in the rest of the country. In 1971, for example, 49% of state positions in the Commonwealth were filled by women, but on the major policy boards and in the top appointed positions, fully 93% of the jobholders were men. The Governor's staff and the Attorney General's staff were essentially male. In the judiciary the situation was much the same, with only eight women appearing on the roster of 258 judges, and only one of those serving in a court other than a district or probate court. The legislative branch, too, exhibited an under-representation of women, with only four women out of 280 House members in 1970, and only one woman Senator in a total of forty. Most of the major committees of political import had no women members; no committees had a majority of women members. Neither the Social Welfare Committee (which handles child care, welfare and other human services) nor the Judiciary Committee (responsible for laws on marriage, name change and divorce) had any women members. Massachusetts women at the time of Chapter 622's passage were developing politically, but were seeing little change in the extent of their political participation in the system.

Seeing their increased participation in the labor force, and becoming increasingly aware of their exclusion from political participation, women grew more concerned about education. Continued exclusion from many educational opportunities would mean continuing limited participation in the labor force, in marginal, low-paying, "women's" jobs. If distinctive work roles of males and females continued to be taught to boys and girls, women would never achieve the economic power necessary to realize their goals of political participation.

At the time of the passage of Chapter 622, women and girls were being held back within the total process of education in this country. Although girls graduating from high school outnumbered boys by four percentage points, they fell behind in the rates of entrance into college, by about sixteen percentage points in 1969. The difference had been shrinking,

however, with a twenty seven percentage point difference in 1950 and 20% in 1960. At higher levels of education, the differences were more marked, with only 36% of masters degrees and 13% of doctorates being awarded to women in 1968. With regard to enrollment in professional education, until the very recent increase, women were severely under-represented, obtaining 3.8% of the law degrees, 5.5% of veterinary degrees, 20.3% of pharmacy degrees, and 7.4% of the degrees in medicine in 1967. All of the above percentages, as low as they are, however, reflected large increases which were occurring during the decade of the sixties.

In the area of vocational education, the differential opportunities for girls and boys were extreme. Most vocational courses for the 3.8 million girls enrolled in public vocational courses in the 1966-1967 school year were geared specifically toward the training of girls for jobs traditionally held by women -- low-paying, non-career ladder positions. Girls represented 96.2% of the total enrollees in Home Economics courses. Of these, only 1.5% were job-oriented; the other 88.5% were thus being trained for the non-paying work of the home. Fully 54.9% of all the girls who were in vocational education were in home economics courses. In the office occupations, 77.3% of the enrollees were girls. A similar situation existed in the health occupations (which, with the exception of doctors and administrators, have traditionally been heavily dominated by women), in which 94.7% of the enrollees were girls. On the other end of the scale, girls represented only 10.5% of the enrollees in trades and industry, 8.6% in technical education and 1.0% in agriculture.

Women were also under-represented in the policy-making positions in the field of education. In 1971, the Massachusetts Board of Education was headed by a woman, but it was 85% male. In the Department of Education, the Commissioner and two Deputy Commissioners were men, the seven Associate Commissioners were men, and of the twenty Bureau Chiefs, only two were women. Of the 351 cities and towns in the

Commonwealth, only one of the school superintendents was a woman. Men also represented 94% of the high school principals. Only at the level of elementary and secondary school teachers, the non- policy-making positions, were women in the majority.

At the time of Chapter 622's passage, in sum, there was a climate in the country, and here in Massachusetts, which illuminates the response of the legislature to the bill proposed. The decade of the sixties was a period of general social activism, and political activism by women in particular. It was also a period in which women's life patterns were changing. More women were striking out on their own; more women were maintaining their single status. Families were getting smaller, and there were labor-saving devices which made the earlier emphasis on housework unnecessary. Women were entering the labor force in increasing numbers. Women's new activities were making them more conscious of the barriers which were keeping them from full participation in the larger world. They were beginning to articulate their objections. And their elected representatives were listening.

The legislators in Massachusetts, however, were also aware of the opposition of many people in this state to changing the laws concerning the family, such as divorce, birth control and the rights of out-of-wedlock children. Improving employment opportunities was less controversial, but virtually all the necessary legislation had already been passed. Then, in 1971, this new proposal appeared: improvement of educational opportunities. It seemed an excellent and relatively trouble-free way to respond to the political activism of the times, to the women's movement, and to the increasing interest in education as a means for social change. Chapter 622 had the quality of looking like the right bill at the right time.

CHAPTER TWO: THE SYSTEM TO BE CHANGED

A. WHAT IT LOOKED LIKE IN 1971

The heart of the program through which the Commonwealth of Massachusetts delivers educational services which prepare students for gainful employment is Chapter 74 of the General Laws of the state. This statute fixes the terms and conditions under which the state will reimburse the cities and towns for a specified portion of the costs of providing vocational education to the students in their school system. The pertinent statutory language is this:

> The Commonwealth shall annually pay one half the net maintenance sum to towns, or regional school districts, maintaining approved local or district or regional school district independent distributive occupations, industrial, agricultural, household arts or practical nurse training schools, except agricultural departments in high schools.
>
> The Commonwealth shall pay to such towns or regional school districts an amount equal to sixty-five percent of the full maintenance sum for each attending student who has satisfactorily completed the twelfth grade or courses equivalent thereto. [1]

Under this arrangement the key to the system is a definitional one, and the holder of that key wields a considerable amount of power. The chapter offers definitions for each of the specified categories of vocational education other than practical nurse training as follows:

> "distributive occupations": "those followed by workers directly engaged in merchandising activities, or in direct contact with consumers, retailers, jobbers, wholesalers and others when distributing the products of farm, commerce and industry, and when managing, operating or conducting a commercial service or personal service business, or selling the service of such a business. Such phrase shall not include clerical occupations such as stenographer, bookkeeper, office clerk, or industrial workers in transportation activities."

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[1] Mass. Gen. Laws c. 74 § 9 (1971), as amended by ch. 733 of the Acts of 1974, adding the second paragraph (Supp. 1974).

"industrial education": "vocational education fitting pupils for trades, crafts and manufacturing pursuits, including occupations of girls and women in workshops."

"agricultural education": "vocational education fitting pupils for occupations connected with agriculture, the care of domestic animals, forestry and other wage earning or productive work on farm land."

"household arts education": "vocational education fitting pupils for occupations connected with the household." [1]

The statute rounds this off with a general definition for vocational education: "education of which the primary purpose is to fit pupils for profitable employment." [2] It also specifies that "approved" means "approved by the commissioner of education as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission,, employment of pupils and expenditures." [3]

The definer of vocational education in the Commonwealth thus becomes the Commissioner of Education, who has the power to approve or disapprove a program. [4] The Department of Education, however, has a Division of Occupational Education headed by an Associate Commissioner of Education, [5] and it is there that the actual exercise of power is accomplished. The Division is responsible for Bulletin 326, a comprehensive guide for the development and operation of state-aided

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[1] Mass. Gen. Laws c. 74 § 1 (1971)

[2] Ibid.

[3] Ibid.

[4] Mass. Gen. Laws c. 74 § 2 (1971)

[5] Mass. Gen. Laws c. 15 § 1F (1973)

vocational programs for secondary school students. [1] Unfortunately, the bulletin is, and is admitted to be, out of date, [2] and thus current

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[1] The scope of Bulletin 326 is demonstrated by these general topics in the Table of Contents:

Section I. Legislation, Basic Requirements and Regulations
- A. Legislation
- B. Basic Requirements and Regulations Common to all Schools
- C. Basic Requirements and Regulations Common to all Schools (By Approval Factors)

Section II. Qualifications of Teachers -- All Fields

Section III. Agricultural Education
- A. Day Schools, County or Separate Schools and Departments in High Schools
- B. Evening Schools

Section IV. Distributive Occupations Education
- A. Part-Time Cooperative School (High School Departments)
- B. Part-Time and Evening Schools

Section V. Household Arts Education
- A. Day Household Arts
- B. Evening Practical Art and Handicraft

Section VI. Industrial Education
- A. All-Day Schools
- B. Part-Time Cooperative Schools
- C. Part-Time and Evening Schools Including Apprentice Training

Section VII. Expenditures
- A. Records and Returns
- B. Reimbursement
- C. Tuition Fees
- D. Record of Productivity
- E. Procedure in Securing Reimbursement

Appendix A. Legislation

Appendix B. Administrative Blanks and Forms, and a Statement of their Uses

Appendix C. Important Legal Opinions

Appendix D. Departments

Appendix E. Type Forms of Votes Establishing Vocational Education

[2] It was last revised in 1951.

program planning is likely to be done by means of informal discussions between the local planners or administrators and Division representatives. This makes it difficult to be certain as to exactly what general characteristics of an educational program will render it eligible for Chapter 74 reimbursement as a form of vocational education.

Once a program qualifies for Chapter 74 funds, the school system which is operating it is reimbursed by the state each year for 50% of the operating costs of the program. [1]

The Division of Occupational Education, in addition to controlling the distribution of Chapter 74 funds, oversees the allocation of federal monies for the state's vocational programs. The federal program of grants for vocational education [2] is currently relevant to the system only in certain limited ways: it sets parameters within which the state and local educational agencies operate freely, often imposing further restrictions themselves; it requires that certain percentages of the grant be spent on particular programs or for the benefit of described groups of people, thereby injecting further complexity into an already complicated series of financial arrangements; and it calls for plans, reports, advisory councils and paperwork, which has meant that a significant amount of the time of people involved in vocational education is now spent collecting data, analyzing data or criticizing its inaccuracies or incompleteness. While federal funds represent only a small portion of the total expenditures for vocational education

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[1] Mass Gen. Laws c. 74, § 9, quoted supra p. 17.

[2] 39 Stat. 930 (1917), 74 Stat. 414 (1960), 20 U.S.C. §§ 11-16, 18-28 (1974); 82 Stat. 1064 (1968), as amended, 20 U.S.C. §§ 1241-1244, §§ 1247-1391 (1974), as amended (Supp. 1975).

within the Commonwealth, [1] the greater part of available data about the system is that data required for the federal reporting forms. Massachusetts, it seems, does little or no gathering of staff, enrollment, and follow-up data relating to vocational programs receiving state aid. It is therefore extremely difficult to get a clear picture of how and in support of which students and programs the state spends its own funds.

The reason for this lack of state student data is that the Division reimburses school districts under Chapter 74 procedures, not for students enrolled but for programs in place. Since state law does not require head counts, the Division is under no obligation to conduct them. Their information is thus restricted to programmatic information. This places the Division in an awkward position; it claims as its own all students who show up in the federal reporting forms of enrollments in vocational programs, but it has no data as to the extent of state support for those students.[2] Therefore, to discuss the system of vocational education within the Commonwealth as it affects students, one must rely heavily upon federal rather than state data. The significance of this is that the Federal system defines as vocational students who receive no vocational support from the Commonwealth. And those most frequently counted but not supported are female.

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[1] In FY 72 federal funds totalled $10,243,249 and represented about 8% of the total expenditures for vocational education. Source: Selected Data for the Annual Federal Occupational Report, Fiscal Year 1972, Commonwealth of Massachusetts, Department of Education, Research Coordinating Unit, Division of Occupational Education (p.2, Figure 1).

[2] According to the Division, Chapter 74 is only one part of the means by which the Commonwealth supports vocational educatior. We were told that many LEA's never apply for Chapter 74 funds because they can receive as much if not more aid from Chapter 70. There appears to be no readily available data on this. Chapter 70 is the law under which general school aid flows from the Commonwealth to individual cities and towns through complicated formulae not here relevant.

For instance, in FY 1972, the year in which Chapter 622 passed the legislature, there were a total of 163,799 vocational students in the Commonwealth (See Table II.1). Of this number, 121,684 were enrolled at the secondary level (See Table II.2.) Office Practices together with trades and industry programs accounted for over three-quarters of the total in both instances. Of the total of 163,799 students enrolled in vocational programs in Massachusetts in FY 1972, females numbered 89,894, representing 55% of all vocational students. In general, trades and industry programs are funded under Chapter 74. Most office programs, however, representing roughly half of all vocational students, are not eligible for such aid, and this area is heavily female in enrollment. Consumer and homemaking programs (also heavily female) constitute the next largest group of students. These programs are, in general, eligible for reimbursement, even though they offer training not related to gainful employment.

The operating systems which provide secondary-level daytime programs were then and continue to be categorized in terms of one of five kinds:

- local school systems which provide either (a) a program within the comprehensive high school or (b) a program under separate administration or directorship housed either within the high school building or in a separate specialized facility. The Division refers to these as city schools.

- local school systems which provide a program in a specialized building and under the control of a separate school committee. The Division refers to these as independent trade schools.

- county-run agricultural schools.

- regional systems (serving a number of localities, all of which are represented on a regional school committee organized to administer the schools in the region) which provide either (a) a program within the region's comprehensive high school or (b) a program under separate administration or directorship and

TABLE II.1

1971 - 72 TOTAL ENROLLMENT BY BROAD PROGRAM AREA

PROGRAM AREA	N [1]	%
Agriculture	2,149	1.3
Distribution	6,628	4.1
Health	4,382	2.7
Consumer & Homemaking	16,055	9.8
Occupational Preparation	3,088	1.9
Office	79,962	48.8
Technical	4,686	2.9
Trades & Industry	43,216	26.4
Special Programs	3,633	2.2
TOTAL	163,799	100.1 [2]

[1] Massachusetts Annual Report of Occupational Education, Fiscal Year 1972, Enrollments in Vocational Education Programs, OE form 3138.

[2] Deviation from 100% due to rounding.

TABLE II.2.

1971 - 72 SECONDARY ENROLLMENT BY BROAD PROGRAM AREA

PROGRAM AREA	N [1]	%
Agriculture	1,223	1.0
Distribution	4,517	3.7
Health	645	0.5
Consumer & Homemaking	13,215	10.9
Occupational Preparation	2,040	1.7
Office	69,623	57.2
Technical	810	0.7
Trades & Industry	26,908	22.1
Special Programs	2,703	2.2
TOTAL	121,684	100.0

[1] Massachusetts Annual Report of Occupational Education, Fiscal Year 1972, Enrollments in Vocational Education Programs, OE form 3138.

housed either within the high school building or in a separate specialized facility (similar to local school systems)

- regional vocational-technical high schools which also serve a number of localities and are under the control of a regional school committee but are established solely for the purpose of providing vocational education in the region.

Secondary enrollment figures in these various systems for FY 1972 are displayed in Table II.3. The figures show that the vast majority of vocational students attend schools that are administered as part of a larger educational system: either comprehensive high schools or separate vocational schools, under the control of local school committees. However, which of these two types proves to be important, as the comprehensive high schools "... for the most part, offer programs in office occupations, consumer and homemaking, and distributive education" while the separate vocational schools "... have traditionally placed emphasis on trade and industrial programs..." [1]

In FY 1972 the regional vocational-technical high schools served only a small percentage of vocational students. This was true also of FY 1973, the most recent year for which complete and up-to-date data were available at the time of our data collection. "The self-contained regional vocational technical high schools are usually characterized by the latest in building construction and instructional equipment. These schools offer a wide variety of occupational programs directed at meeting the needs of the regions served." [2] The regional vocational technical high schools are expected to be the primary means of delivering vocational education in the future. Long-range planning calls for more regional vocational technical high schools.

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[1] Selected Data from the Annual Federal Occupational Report, Fiscal Year 1972, p. 2.

[2] Selected Data from the Annual Federal Occupational Report, Fiscal Year 1972, p. 2.

TABLE II.3.

1971 - 72 SECONDARY ENROLLMENT IN OCCUPATIONAL PROGRAMS BY SCHOOL SYSTEM

SCHOOL SYSTEM	N [1]	%
City [2]	98,368	82.0
Trade Schools	2,311	1.9
County Schools	826	0.7
Regional Schools [2]	10,724	8.9
Regional Vocational Technical High Schools	7,697	6.4
TOTAL	119,926 [3]	99.9 [4]

[1] Source: Selected Data from the Annual Federal Occupational Report, p. 6, Table IV.

[2] The fact that the reporting of enrollments for city and regional systems combines the comprehensive high schools and separate vocational schools will present subsequent difficulties when we attempt to discuss enrollment by school type. See Appendix A for an explanation of the problem and our attempts at reorganizing the data.

[3] Total exclusive of private institutions which account for 1,758 students at the secondary level.

[4] Deviation from 100% due to rounding.

B. VISIBLE INDICATORS OF INADEQUATE SERVICES TO FEMALES

At the time of the passage of Chapter 622, over half of the vocational students in the Commonwealth were female. But while such overall figures may seem to indicate equal participation of females in the vocational education system, a closer look at available data reveals another story.

Although females are present in large numbers within the system, they are clustered both with respect to the kinds of courses they take and the kinds of schools they attend. As Table II.4. indicates, almost two-thirds of all females are enrolled in one program area: office occupations. If consumer and homemaking is added, 83% of all female vocational students have been accounted for. It would appear that males are just as clustered in program areas: trades and industry and office occupations together account for 82% of all males. But again, this comparison is misleading. Within the two program areas encompassing 83% of the females, a student has a choice of a total of 18 programs (10 in Office, 8 in Consumer and Homemaking). Within the two programs in which 82% of the males are enrolled there are 49 choices (10 in Office, 39 in Trades and Industry). Furthermore, of the 59,680 females in Office Practices, 73% are to be found in just three areas of study (see Table II.5.). To account for a similar percentage of males within Trades and Industry, one would have to look to at least nine programs.

An even more striking exposition of the clustering of females within certain courses is illustrated by Table II.6. If we look at the top four programs in terms of female enrollment, we discover that they are all Office Occupations programs and that collectively they account for <u>over half</u> of all females in vocational education in the Commonwealth.

TABLE II.4.

1971 - 72 PROGRAM AREA ENROLLMENTS BY SEX

PROGRAM AREA	FEMALE		MALE	
	N [1]	%	N [1]	%
Agriculture	351	0.4	1,798	2.4
Distributive Ed.	2,699	4.1	2.929	4.0
Health	3,890	4.3	492	0.7
Consumer & Homemaking	14,995	16.7	1,060	1.4
Occupational Prep.	2,779	3.1	309	0.4
Office Occupations	59,680	66.4	20,282	27.4
Technical	197	0.2	4,489	6.1
Trades & Industry	3,112	3.5	40,104	54.3
Other	1,191	1.3	2,442	3.3
TOTAL	89,894	100.0	73,905	100.0

[1] Source: Massachusetts Annual Report of Occupational Education, Fiscal Year 1972, Enrollments in Vocational Education Programs, OE form 3138.

Figures represent students at all grade levels. Data on secondary enrollments by sex by program do not exist.

TABLE II.5.

FEMALE ENROLLMENT IN SELECTED OFFICE OCCUPATIONS PROGRAMS, 1971 - 72

PROGRAM	N [1]	
Typing and Related Occupations	18,833	
Stenography, Secretarial and Related	15,608	
Accounting and Computing	9,190	
	43,631	- 73% of all females in Office Occupations

MALE ENROLLMENT IN SELECTED TRADES & INDUSTRY PROGRAMS, 1971 - 72

PROGRAM	N [1]	
Metalworking Occupations	6,273	
Auto Mechanics	4,457	
Carpentry	3,927	
Electricity	3,545	
Woodworking Occupations	2,589	
Drafting Occupations	2,373	
Graphic Arts Occupations	2,103	
Plumbing and Pipefitting	2,083	
Electronics Occupations	1,954	
	29,304	= 73% of all males in Trades & Industry

[1] Source: Massachusetts Annual Report of Occupational Education, Fiscal Year 1972, Enrollments in Vocational Education Programs, OE form 3138.

TABLE II.6.

FOUR PROGRAMS WITH HIGHEST FEMALE ENROLLMENT, 1971 - 72

PROGRAM		N [1]	
Typing and Related Occupations		18,833	
Steno, Secretarial and Related		15,608	
Accounting and Computing		9,190	
Filing, Office Machines		8,494	
	TOTAL	52,125	= 58% of all females in vocational programs

FOUR PROGRAMS WITH HIGHEST MALE ENROLLMENT, 1971 - 72

PROGRAM		N [1]	
Accounting and Computing		6,312	
Metal Working Occupations		6,273	
Typing and Related Occupations		5,517	
Auto Mechanics		4,457	
	TOTAL	22,559	= 30% of all males in vocational programs

[1] Source: Massachusetts Annual Report of Occupational Education, Fiscal Year 1972, Enrollments in Vocational Education Programs, OE form 3138.

The majority of Massachusetts girls and women preparing for gainful employment in our public schools are studying typing, shorthand, accounting and filing. Enrollees in the top four male programs, on the other hand, span two program areas, are preparing for three quite distinct occupations, and represent less than one third of all male students.

Clustering by courses is only one manifestation of the inequitable treatment of females within the system. Girls and women enrolled in vocational programs in the Commonwealth are also clustered with respect to the type of school they attend. It is clear from Table II.7. that in FY 1972 the vast majority of females were to be found in city schools -- almost certainly in the comprehensive high school in that locality rather than in the separate vocational school. This is made clear by the Division of Occupational Education through two of its statements: first, as was noted in the previous section, "... regular high school(s) ... offer programs in office occupations, consumer and homemaking and distributive education", while the separate vocational schools "... have traditionally placed emphasis on trade and industrial programs"; [1] and second, "... the girls are concentrated in the office programs, the boys being primarily enrolled in Trade and Industry programs." [2]

Secondary enrollments by sex for city vocational schools [3] are displayed in Table II.8. Clearly these schools, with the exception of those specifically designated for girls, are almost exclusively male. The girls who show up in the enrollments in vocational programs in the data from the Division must, therefore, be in the comprehensive high schools of those localities. Table II.9. and II.10. confirm this assumption by indicating that females are under-represented in almost

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[1] Selected Data from the Annual Federal Occupational Report, Fiscal Year 1972, p.2.

[2] Id. at 11.

[3] For much of this report data from the 1972-73 school year has been used. This was the most complete data available from the Division of Occupational Education; we then gathered from other sources figures which would correspond with the same school year.

all those vocational schools which report enrollment figures independently. All indicators, therefore, establish that female participation in the vocational education system in Massachusetts is limited to the opportunities available in the comprehensive high schools.

The clustering of females by program and by school type possesses a circular quality: girls are found in certain courses and these courses are found in certain schools. Therefore girls are found in certain schools. This circumstance suggests its own remedy: those administrators who decide the locations at which, or the system within which, certain courses are to be offered could change the pattern. It would be possible to interrupt the cycle. But the clustering phenomenon has been a firmly rooted tradition in vocational education within the system. It has a long history and a firm hold on the system. It should not be assumed that change should be a simple matter to bring about.

TABLE II.7.

1971 - 72 ENROLLMENTS BY TYPE SCHOOL BY SEX

TYPE SCHOOL	FEMALE		MALE	
	N [1]	%	N [1]	%
City	70,585	78.5	43,001	58.2
Comm. Coll.	5,582	6.2	7,906	10.7
Trade	1,298	1.4	3,930	5.3
Regional	7,215	8.0	3,565	4.8
Regional Vocational Technical High Schools	2,621	2.9	12,791	17.3
County	717	0.8	1,624	2.2
Private Institutions	1,876	2.1	1,088	1.5
TOTAL	89,894	99.9 [2]	73,905	100.0

[1] Source: Massachusetts Annual Report of Occupational Education, Fiscal Year 1972, Enrollments in Vocational Education Programs, OE form 3138.

[2] Deviation from 100% due to rounding

TABLE II.8.

1972-73 SECONDARY ENROLLMENT BY SEX IN CITY VOCATIONAL SCHOOLS [1]

CITY VOCATIONAL SCHOOL	MALE	FEMALE
Attleboro Vocational Technical H.S.	192	44
Barnstable Vocational H.S.	222	5
C.H. Patten Vocational H.S. (Beverly)	287	0
Boston Trade H.S.	755	0
Trade H.S. for Girls (Boston)	2	292
Everett Vocational H.S.	206	31
Fall River Girls Voc. H.S.	0	170
Framingham Vocational H.S.	98	0
Haverhill Trade H.S.	661	0
Holyoke Trade H.S.	274	42
Leominster Trade H.S.	304	0
Lowell Trade H.S.	102	0
Lowell Girls' Vocational H.S.	0	129
Lynn Vocational Technical Institute	714	106
Marlborough Vocational H.S.	183	0
Medford Vocational Technical H.S.	415	29
Henry O. Peabody School for Girls (Norwood)	9	17
Peabody Vocational H.S.	314	44
Pittsfield Vocational H.S.	435	3
Quincy Vocational Technical H.S.	732	76
Salem Vocational H.S.	149	1
Somerville Technical Trade H.S.	309	8
Putnam Vocational Technical H.S. (Springfield)	1,062	355
Waltham Vocational H.S.	249	4
Westfield Vocational H.S.	346	0
Weymouth Vocational Technical H.S.	354	34

[1] Source: "School Enrollments by Grade, 1972-73", Massachusetts Department of Education, Division of Research, Planning and Evaluation.

The schools represented here are those which report enrollments independently of the high school in the city or town.

TABLE II.9.

1972-73 SECONDARY ENROLLMENT BY SEX IN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOLS [1]

RVTHS	MALE	FEMALE
Bay Path (Southern Worcester County)	650	230
Blackstone Valley	526	0
Blue Hills	607	130
Bristol - Plymouth	362	62
Diman Regional (Greater Fall River)	912	0
Greater Lawrence Regional	1,030	204
Montachusett	578	159
Charles McCann (Northern Berkshire)	365	101
Nashoba Valley	481	98
Northeast Metro.	968	194
Shawsheen	522	149
Southeastern	723	111
South Shore	352	0
Upper Cape Cod	400	87

[1] Source: "School Enrollments by Grade, 1972-73", Massachusetts Department of Education, Division of Research, Planning and Evaluation.

The schools represented here are those which report enrollments independently of the high school in the city or town.

TABLE II.10.

1972-73 SECONDARY ENROLLMENT BY SEX IN REGIONAL, COUNTY AND INDEPENDENT VOCATIONAL SCHOOLS [1]

REGIONAL VOCATIONAL HIGH SCHOOLS	MALE	FEMALE
Apponequet Regional Vocational	88	11
King Phillip Regional Vocational	140	22
Tantasqua Regional Vocational	143	1
COUNTY AGRICULTURAL		
Briston County	280	4
Essex Agricultural and Technical	258	19
Norfolk County Agricultural	268	21
INDEPENDENT TRADE		
Lawrence Vocational	13	373
Lynn Industrial Shoe	21	15
New Bedford Voc. High	511	235
Smith Voc. Agri. High	354	53
Worcester Boys High	876	0
David Hale Fanning Trade	32	322

[1] Source: "School Enrollments by Grade, 1972-73", Massachusetts Department of Education, Division of Research, Planning and Evaluation.

The schools represented here are those which report enrollments independently of the high school in the city or town.

III. ORIGINS OF CLUSTERING WITHIN THE SYSTEM

Any consideration of how it happens that girls and boys enroll in different vocational education courses, and that these courses are often offered in different places, leads back to an examination of the origins and development of vocational education in the United States. This study reveals vocational education to be a form of education intended from the beginning to provide different training for boys and girls. The difference in purpose led easily to the separation in facilities to meet the needs of distinctively different curricula. These concepts of separation and difference became implemented in legislation and administrative practice.

A. THE FEDERAL LEGISLATION WHICH HAS SHAPED THE SYSTEM

1. The Smith-Hughes Act and its Background

(a) The Content of the Act

Following an extended period of effort on the part of a coalition of businessmen, leaders of industry and educators, the United States Congress enacted, on February 23, 1917, the legislation popularly known as the Smith-Hughes Act.[1] This law has molded the basic structure of vocational education in this country. It has done so by making it more desirable for local systems to offer certain courses of study rather than others and by encouraging the development of a complex cooperative arrangement, one consequence of which has been to make structural alterations difficult to design and implement. With respect to the particular concerns of this study, the major impact of the Smith-Hughes Act has been its handling of the subject of home economics and its failure to recognize preparation for office occupations as a form of vocational training.

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[1] Ch. 14, 39 Stat. 929.

The Smith-Hughes Act in its 1917 formulation provides for the annual transfer of sums of money to the states on condition that the sums be used to carry out specific programs conducted in compliance with the terms of the Act. It establishes a typical grant-in-aid arrangement "for the purpose of cooperating with the States in paying the salaries of teachers, supervisors, and directors of agricultural subjects, and teachers of trade, home economics and industrial subjects, and in the preparation of teachers of agricultural, trade, industrial and home economics subjects." The appropriations are permanent ones. Three features of this formulation should be noted. First, the cooperating agency is to be the state government. Since local government is the traditional provider of educational services, the likely consequences of requiring state involvement is that the state will assume a supervisory, middleman role. This will make it necessary to have an administrative structure for vocational education at the state level, and the 1917 legislation called for just that. Second, the grant arrangement is viewed as a cooperative one. The federal government does not contemplate being the sole support of the program. Section 9 of the Act expressly conditions the expenditure of "each dollar of Federal money" upon the requirement that "the State or local community, or both, shall expend an equal amount." One consequence of this form of joint-venture structure is, of course, shared control and responsibility, with all the benefits and drawbacks that such an arrangement entails. Third, the federal contribution is doubly earmarked: it is to be expended only on one component in a vocational education -- the individual instructor -- and it is to be expended only on certain types of vocational education -- preparation for an agricultural occupation, for employment in a trade or an industry, or for the work of the home.

The Smith-Hughes Act itself contributes very little to an understanding of exactly what is to be taught by the teachers it subsidizes. Half of the annual appropriation for salaries is to be used for paying the salaries of "teachers, supervisors or directors of agricultural subjects." These instructors will perform their functions pursuant to a plan for agricultural education which shall satisfy the following criteria: it shall fit students for useful employment; it shall be of less than college grade; it shall meet the needs of students over 14 years of age "who have entered upon or who are preparing to enter upon the work of the farm or of the farm home"; it shall provide for "directed or supervised practice in agriculture, either on a farm provided for by the school or other farm, for at least six months per year"; and the instructional staff shall have administratively-determined minimal qualifications.

The remaining half of the annual salary appropriation is to be used for the salaries of "teachers of trade, home economics, and industrial subjects", with the proviso that no more than twenty percent thereof is to be allotted to home economics. There is to be a plan, as before, meeting these criteria: the education provided shall fit students for useful employment; it shall be of less than college grade; it shall meet the needs of students over 14 years of age "who are preparing for a trade or industrial pursuit or who have entered upon the work of a trade or industrial pursuit" (the home economics category appears to have been omitted from this standard); at least half the instruction time given to persons who have not yet begun working shall "be given to practical work on a useful or productive basis" and the total instructional period per year for these students shall extend over not less than nine months and not less than thirty hours per week; the part-time schools, for those between 14 and 18 who are already employed, shall provide not less than 144 hours of classroom instruction per year; evening schools must fix the minimum entrance age at 16 and shall "confine instruction to that which is supplemental to the daily employment"; and the teachers "of any trade or industrial subject"

shall have the minimum qualifications set by the appropriate administrative bodies.

The Smith-Hughes Act says nothing which could be taken as evidence of an intention that certain of the programs to be developed were to be offered to boys and others to girls. Its legislative history, however, leaves little doubt that its sponsors and supporters envisioned a dual system: a boy receiving preparation in the schools for his life work as a farmer or craftsman or skilled laborer; a girl receiving preparation for her life work as a farm wife or as a house wife, and, if feasible, training in a gainful occupation which could be entered into before marriage or in the event of financial need.

Before examining Congressional debates on the bill which ultimately was enacted and reported discussions of earlier bills, let us look again at the categories created by the Smith-Hughes Act and the proportions worked out for the appropriations: agricultural education for "the work of the farm or farm home", for which half of a state's annual appropriation for teachers' salaries is to be used; trade and industrial education, for which forty percent of the salary appropriation is to be used, and home economics education, toward which ten percent of the salary appropriation is to be used. The logic of these proportions is worth examining.

The original division of funds in the Act is an equal one, representing a resolution of the competing interests of the farm lobby and the manufacturing lobby. The agricultural monies were not segmented further. Utilizing monies earmarked for agricultural education to prepare farm home workers apparently was not troublesome to anyone; the economic value of that work to the farming enterprise as a whole must have been generally conceded. The same set of circumstances, however, did not apply in the case of manufacturing pursuits. A factory worker's spouse, laboring in the home, must not have been viewed as contributing

anything of value to the productive economy. Nothing was to be gained by diverting worker-training funds to the task of preparing people for this activity. The allotment, therefore, was not to be used freely for trade, industrial and domestic training, without any internal restrictions. The subject of home economics must be held to a limited partnership. Given this attitude, the ten percent allotment to home economics represented a triumph for the progressive feminists of the day who had developed and publicized a theory of specialized education for females. Without their vigorous championship it is likely that the work of the home would not have been included in the federal scheme for vocational education at all.

This is only one indication of what appears to be a highly significant circumstance: the timing of relevant events appears to be such that a number of discrete concerns relating to the educational needs of females converged in the process of developing vocational training programs for girls and women. Since these concerns were reflected in the design of the Smith-Hughes Act and thus have been carried forward in time to the present day, they need to be reviewed here.

(b) Events and Concerns Preceding the Passage of the Smith-Hughes Act

The central key to understanding the course of events in the saga of women's vocational education is the proposition that the educational experiences of children should be correlated with their anticipated functions as adults. Once this is assented to, it follows that separate and distinctive educational programs will be needed for children who are expected to constitute a separate and distinctive group in adulthood. This theory was initially advanced to justify less formal education for girls. The position was that since a woman's proper and accepted sphere was the home, virtually all the relevant preparation she would need for adulthood could be acquired there. Many persons concerned with female education countered this by accepting the assumption of a woman's sphere

and using that as a foundation for two arguments of their own: (1) an educated mother can make significant contributions to the intellectual and moral development of her children; and (2) efficient and skillful performance of household tasks can be better taught in schools than in homes. The conjunction of these two propositions required the advocates of women's education to advocate that it be a separate and distinct education in which the unique elements of a woman's adult life were taken into account. [1]

These ideas entered into and influenced the development of vocational education in two ways: (1) they gave rise to home economics programs in the schools, and these eventually became linked to plans for occupational education; and (2) they lent support to the proposition that girls had special educational needs which could only be met by designing programs especially for them and which should be met, meaning that girls must be confined to the specially designed programs.

The significance of the home economics movement to us derives in part from the fact that its proponents sought to introduce these courses of study at all educational levels. Programs were devised for use in public grammar schools as well as in high schools and women's colleges. Until that time the grammar school curriculum dealt with basic skill acquisition and drew no distinctions based upon the sex of the student.

> The first recognition of the fact that girls were girls, and, as such, needed, in some cases, a different curriculum, came with the introduction into the courses of study of manual training for the boys and household arts for the girls. [2]

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[1] For example, Emma Hart Willard's address to the New York State Legislature on the subject of public appropriations for girls' education proposed a curriculum which included "domestic instruction." Willard, Emma, An Address to the Public; Particularly to the Members of the Legislature of New York (1819).

[2] Leake, The Vocational Education of Girls and Women, p. 272.

This change introduced the idea of separate programs for students attending the same school and linked household arts courses and manual training courses as complementary offerings.

It is instructive to look at some of the literature of the time as a means of comprehending how fervidly the supporters of home economics programs advocated this form of female education. The passion must be at least partially attributable to the ubiquity of home economics education as a problem solver; it met the objectives of an astounding variety of interest groups.

This was the era of child labor and of the reformers who were seeking a way to end it. Increasing the amount of compulsory schooling was perceived as a possible method, but the utilization of tax revenues for this purpose would have to be shown to have social justification. If the additional years in school were spent on education which would prepare a girl to be a better wife, mother and housekeeper, the benefit to the community was clear. Even if such schooling were not mandatory, it was thought that many girls would nevertheless choose to avail themselves of this new and different opportunity; one explanation of the choice children were making to leave school and go to work was that the purely academic curriculum was irrelevant and uninteresting to these students.

This was also the era of assimilation. An American society which was fairly homogenous in its culture and outlook had begun to concern itself with some of the problems of assimilating people of different backgrounds. In the South there were the newly freed slaves to consider; in the North the growing numbers of immigrants. Well-intentioned women, particularly those of upper-class New England society, thought they saw a need to instruct these newcomers in the accepted patterns of domesticity. Many philanthropic entities were established

to provide this service to adult women. It was seen, however, that the logical place in which to institutionalize this form of instruction, in order to ensure its permanent effect upon these new groups, was the public school system.

A third motive, and undoubtedly one which must have been mixed with the philanthropic impulses just described, was an interest in obtaining trained domestic help. Servants were widely employed at that time, and the idea of preparing them in the public schools must have been one which had considerable appeal to both Northern and Southern women.

These rationales for training in household skills focus attention on girls from lower-class families, but the home economics movement itself was not similarly confined. Instead, its origins appear linked to higher education for women, with proposals for its inclusion in public school systems being a later development. Very possibly the interest group which consisted of college-level educators who were introducing home economics into the curriculum saw the need to find employment opportunities for its graduates. In a period in which teaching was the primary occupation of educated women it would be logical to strive to create teaching opportunities in the public schools for women who held college degrees in home economics. These same college educators could see expanded opportunities for themselves as well; new programs would need consulting services, new curricula and new administrators.

All of those groups contributed their ideas to an outpouring of propagandist materials designed to convince taxpayers and legislators that home economics should be given "its true place in the teaching world as the fourth R -- Right Living -- to be incorporated in the education of the people." [1]

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[1] Dewey, Journal of Home Economics, Vol. 3, p. 350.

The connection between specialized occupational training and instruction in home economics traced its origins to the practice of providing manual training and household arts courses in tandem. The two programs were skill-acquisition forms of education, and as such both reflected an expanded view of the mission of schools. It was easy and logical to think of them in conjunction, treating them as the male half and the female half of a new educational offering. This presented no difficulties as long as the offerings were incorporated into a general curriculum as simply one aspect of a child's education. However, the idea of expanding and upgrading manual skill training was taken up by a number of groups, leaving the proponents of home economics faced with the problem of whether they could and should maintain the linkage, thus insisting that the enlargement of one program meant the enlargement of both.

Most of the pressure for further development of the manual training program came from a broad based lobby for industrial education. Industrial employers saw an opportunity to obtain skilled workers without having to incur the costs of a training period. Labor unions added their support to the idea, apparently seeing a potential justification for higher wages. Groups and individuals concerned with our competitive position vis-a-vis Germany saw the Germans' national program of worker training as an economic advantage which we needed to match. The child labor reformers agreed that pre-employment training opportunities offered in the public schools would have good results. These voices merged to press for increased industrial education in the United States.

There was a counterpart for agricultural education with firm support in the farm states, and both groups chose as their goal a program for establishing separate schools for secondary-level pupils, the primary purpose of which would be to impart the skills and knowledge needed by workers in agriculture, industry and the trades. The urban-oriented advocates of this new branch of education did not see instruction in home economics as relevant to their goals. The

agriculturists did, having always included work done in the farm home as an essential contribution to farm economy. The educators of females, however, were by then conditioned to think of industrial skill training and domestic skill training as two halves of a whole, and they could make some cogent arguments about fairness and equality of need. With both social and personal justifications, and in command of high moral ground, they went to work to maintain the linkage, with the objective of having home economics included as one component of this newly emerging plan for vocational education.

The home economics lobby was successful on the local level. The nine states which established state-aided vocational education programs before 1917 all followed the Massachusetts pattern of providing for separate industrial schools for instruction in agriculture and the domestic and mechanic arts. [1] However, this success, and their earlier successes in getting the subject introduced into many local school systems, proved to be a disadvantage in the fight to be included in the federal program. The proponents of federal aid to industrial education, noting the large amount of home economics instruction already being provided through the use of state and local revenues, argued that the federal money should be directed elsewhere, used to stimulate new programs rather than to subsidize established ones.

This reasoning was accepted by the Commission on National Aid to Vocational Education, a blue-ribbon group authorized by Congressional resolution in 1913. [2] The section of its report containing its recommendations as to the kinds of vocational education for which national grants should be given explains its full position as follows:

> Principles guiding the Commission. In considering the various kinds of vocational education, the Commission felt that the question of whether or not national grants should be proposed for any one of them should be settled by applying the straightedge of the following principles:

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[1] Hawkins, Prosser and Wright, Development of Vocational Education, p.38.

[2] S.J. Res. 5, 63d Cong., 2d Sess. (1913).

1. National grants should be given to the states only for those forms of vocational education for which there is an acknowledged and widespread need that is not now being met.

2. National grants should be given to the states only for those forms of vocational education where the need is of such importance to the national welfare as to justify national aid for their encouragement.

3. National grants should be given to the states only for those forms of vocational education where it is clear that in the absence of such aid the states could not take the initiative in time to meet present and future needs.

Applying these principles to the different kinds of vocational education -- professional, commercial, nautical, agricultural, industrial, and home economics -- the Commission, after careful consideration, felt that there is no need at the present time for federal appropriations to the states for the benefit of the first three. Professional education is already well developed by the states, and there is large opportunity for those who want such training.

Although there is a general feeling that the quality of commercial education might be improved, the reports from the country seem to show that there is no great scarcity of trained workers of this kind.[1] The Commission believes that the National Government should give substantial encouragement to commercial education through studies, investigations, and reports which analyze conditions in commerce and commercial pursuits, and, in this way, furnish expert information for use in courses of instruction and methods of teaching commercial subjects.

Under present conditions in our merchant marine, there seems to be no urgent need for federal appropriations for the development of nautical schools.

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[1] According to the 1912 report of the Commissioner of Education (Vol. II, p. 565), the number of commercial and business schools in the United States in 1912 was not less than 1,000. The Commissioner estimates the number of students enrolled in these schools and in commercial courses in the 2,516 public and private high schools as 350,000. The enrollment in the commercial schools ("business colleges") reporting statistics to the Bureau of Education was 137,790: in commercial courses of private high schools and academies, 14,173: and in commercial courses in public schools, 128,977, given an aggregate reported enrollment for 1912 of 280,940 students. It was estimated that there were from 50,000 to 100,000 students in commercial schools which did not report statistics to the Bureau of Education.

The Commission has given very serious consideration to the whole question of training in home economics. It is strongly of the opinion that preparation for the varied duties of the home should be regarded as a legitimate and integral part of the education of every girl; that it should be given throughout the entire school course; both in elementary and in high schools; and that it should be considered a necessary part of a girl's general preparation for life, no matter what her particular calling might be.

The investigations made by the Commission show that the states are not only fully awake to this need, but that, so far as the towns and cities are concerned, general training for the home is being rapidly developed in the states, and it seems reasonably certain that this work, in the absence of national grants, will not be neglected. [1]

The difficulty of providing for home training in the rural districts, without national aid, is apparent. [2] Partly for this reason and partly because the duties of the farmer and the farmer's family on the farm and in the home are so closely interrelated, the Commission has recommended that grants for agricultural education shall include training for "the occupation connected with the work of the farm and farm home."

The Commission recognizes, however, that aside from general training for the home, there are numerous callings in which women are engaged which are based upon knowledge of home economics, such as that of

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[1] Out of the forty-four states from which questionnaires were received by the Commission, thirty-five reported that they were doing something for education in household arts in all day schools; fourteen that they made provision for this group of subjects in evening classes; and six that they had part-time or continuation classes of household arts for girls over fourteen who are still in school.

[2] Of the 154 superintendents of schools in rural communities from whom schedules have been received by the Commission, 35 report that no provision whatever is made in their counties for instruction in household arts even for girls who are in school, and 87 have nothing to offer to girls who have left school and are working in the farm homes. In 119 of the counties no provision whatever is made for instruction in household arts for adult housewives.

> the dietician, the cook, the housemaid, the institutional manager, and many others. These require a highly specialized training, and the Commission has therefore deemed it advisable in proposing grants for industrial education to so define the use of that term as to include training for such callings.
>
> Because of the universal importance of this subject, the Commission has deemed it advisable to include teachers of home economics in its proposed grants for training teachers in vocational subjects. The Commission has also recommended that, by a plan hereinafter described, the work already done by federal agencies in making studies, investigations, and reports in the field of home economics be extended.
>
> Again, applying these principles and believing that the crying need in this country at the present time is for extensive and thoroughgoing training for agriculture and the trades and industries, the Commission believes that grants for these two forms of vocational education are justified. The need for instruction in agriculture and in the trades and industries is acknowledged, is widespread, and is not now being met. They are of such importance to the national welfare as to make national grants for their encouragement a wise investment from every standpoint. Without the stimulus of federal appropriations the states are not able to undertake in a comprehensive way the training for a more skilled and productive agriculture nor for a more skilled and productive industry, which is of the utmost importance to the welfare and happiness of the nation. [1]

The Commission's solution to the question of home economics was incorporated in the vocational education bill introduced in the first session of the 64th Congress by Senator Page, a long-time advocate of federal support, which bill passed the Senate on July 31, 1916. [2] The House had three bills under consideration at that time, and the one which the Education Committee recommended, House 12250, included home economics as a subject for which federal support would be available. No bill passed the House in that session, but early in the second session Representative Fess presented House 11250 to the House and the question of home economics was raised. Representative Towner defended its inclusion as follows:

> There can be no more important work than to aid directly and efficiently in homemaking. Ninety out of every 100 girls in the U.S. leave school in the seventh and eighth grades. Without any

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[1] Report of the Commission on National Aid to Vocational Education as reporduced in part in Hawkins, Prosser and Wright, Development of Vocational Education, Appendix.

[2] 53 Cong. Rec. 11878 (1916).

knowledge of the practical affairs of life, without any experience except that derived from observation, they go into the world to become the mothers and homemakers of America. Under present conditions the girls' education is more directed to the making of school teachers or shop girls than to the making of homemakers. [1]

Representative Dallinger supported these remarks :

Another question in which a great many people are interested is the divorce evil, which has come to be a national scandal. Now it is a well known fact that a very large proportion of the divorces in this country today might have been avoided if the girls had been good homemakers. One of the objects of this bill is to establish through the country the teaching of home economics in our public schools so that the women of tomorrow may become good homemakers and good mothers. It is estimated that every year at least 500,000 infants die under 2 years of age in the United States, while at the same time millions of children fail to reach their best physical development because their mothers and fathers do not understand how to properly care for them. Moreover, it has been estimated by the American School of Home Economics that at least $1,000,000,000 of the $10,000,000,000 annually spent in this country for food, clothing and shelter could, with greater knowledge and efficiency, be saved and added to the productive wealth of the Nation. The possible economic saving to the people of the United States as a result of the scientific teaching of home economics is beyond calculation. [2]

At a slightly later point in the debate, Representative Platt moved to amend the bill by striking "home economics", arguing in behalf of his motion that the subject was already being taught and making it eligible for the federal monies would make it possible for states to "dissipate the entire fund" without introducing any industrial education whatsoever. [3] Mr. Towner's response made the standard arguments again, but without meeting Mr. Platt's points:

"The gentleman is entirely mistaken in his view ... (that home economics is not a part of vocational education). If you should adopt the gentleman's amendment you would teach the girls to become shop girls and factory workers and go into trades, and you would give them no instruction whatever regarding homemaking and motherhood. And that certainly is vastly more important than to become shop girls and milliners' assistants. The subject of home

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[1] 54 Cong. Rec. 717 (1916)

[2] Id. at 722.

[3] Id. at 757 (1917).

> economics has been associated with industrial education from the very commencement of this great movement in the United States. It is certainly as important to teach the girls as it is the boys. The gentleman's view would limit practically the operation of this bill to the teaching of the boys of the United States and leave nothing whatever to the teaching of the girls...
>
> It will benefit the whole scheme of homemaking and homekeeping if you elevate the home in the mind of a girl who thinks too much about becoming a shop girl, or a factory worker, rather than of going into the home and becoming a mother." [1]

The defeat of Mr. Platt's motion may have resulted from notice being given the House that a home economics compromise was scheduled to be proposed by the proponents of the bill. The home economics lobby decided to relinquish its claim to an equal position with respect to eligibility for federal aid in exchange for the continued inclusion of the subject in the legislation. This solution to the dispute was acceptable to all groups, and thus the bill eventually enacted -- the Smith-Hughes Act of 1917 -- included home economics but limited its share of the funds.

The nature of the home economics training to be encouraged by the flow of federal money is not altogether clear from this legislative history. The position of the Commission on National Aid to Vocational Education was that "preparation for the varied duties of the home", while essential for every American girl, did not need to be fostered in the school systems of cities and towns, since the subject was already being included in the curriculum of these schools. This was not the case in rural areas, and therefore training in the work of the farm home <u>was</u> recommended by the Commission as an authorized use of the agricultural education grants. Education for housewifery aside, however, the Commission identified certain gainful callings "in which women are engaged" for which a knowledge of the subject of home economics was relevant, and for this reason it included the field in the industrial education category. Under this view of the federal design, a state could spend agricultural education funds in conjunction with courses in homemaking skills related to the activities of the farm home, and it could spend up to twenty percent of its industrial education

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[1] <u>Ibid</u>.

grant in conjunction with courses in home economics intended to prepare the student for gainful employment. This is not the way it worked out in practice, however. The 20% set-aside of trade and industrial allotments was used for vocational home economics education, the purpose of which was "to train women to make a home and to practice therein all the activities of the homemaker in the most economical, practical, and efficient manner." [1] Trade and industrial education of girls was viewed as a separate concern, although it was recognized that some of the specialized trades open to women derived from household activities. [2]

As has been suggested, separate programs for boys and girls had acquired legitimacy by this time both in relation to practical skills training and as a means of achieving broader purposes. High schools in the eastern part of the country customarily were segregated by sex:

> The school in Hartford, which is in common for both sexes, forms an exception to this rule [of sexually segregated secondary education]. This last mentioned school presents the strange spectacle (strange, as regards our habits and ideas) of girls and boys of the ages of 15 and 16, assembled in a common school-room under the guidance of female as well as male teachers .... There can be no doubt but that this system of allowing boys and girls to receive their education in common, must tend to refine the manners and morals of the school, while at the same time it must exercise a great influence on the position of women, not only as regards education, but also afterwards in society. [3]

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[1] Third Annual Report of the Federal Board for Vocational Education. p. 44.

[2] Id. at 65.

[3] T. Woody, A History of Women's Education in the United States, p. 540, quoting Pehr Siljestrom. It is interesting to note the tenacity of these policies, once adopted. The Boston Finance Committee's 1945 report on the state of the city's schools commented on the phenomenon as follows (at p. 622):

> Boston has followed for many years the practice of segregating boys and girls in most of its secondary schools. Twelve schools are segregated by sex.... The remaining seven schools enroll both boys and girls. [71% of boys and 64% of girls are in segregated schools].
> It should be noted further that, even in the mixed schools, the policy prevailing most commonly is to segregate boys and girls in the homeroom groups. There is also some natural segregation by reason of the nature of the subjects taken by boys and girls.

When vocational education programs were being considered against this background, it was natural to envision them as being offered separately to each sex, and to move from there to conceive of them as involving distinctive courses of study for each sex. This fit with the then current claim that it was necessary to differentiate between boys' and girls' courses of training for adult occupations. Girls' courses, the argument went, should be distinguished from the norm because of the unique dual functioning situations which adult women were expected to face.

One exponent of this view was Florence M. Marshall, the first principal of Boston's Trade High School for Girls, and probably the leading spokeswoman of the time in favor of educating women for gainful employment. Her position is fully stated in a subchapter she prepared for the Douglas Commission Report, a study prepared in 1905 for the Massachusetts legislature assessing the labor needs of the Commonwealth and reporting on whether the state ought to participate in the task of preparing workers to meet these needs. [1] Marshall's contribution is entitled "What the Value of the Years from Fourteen to Sixteen Might be to Girls." In it she makes a strong case for providing girls with skills which will equip them for employment of a suitable type. She begins with the proposition that girls and women are in fact working at out-of-home jobs in Massachusetts. She sets out data which confirm her premise. Her data also tend to prove that the better-paying, cleaner, higher status jobs for women were going to females over sixteen and were most readily offered to females who possessed useful skills. To Marshall, the logic is clear: many girls and women in Massachusetts are working outside the home and need to do so. Women are hired by Massachusetts employers to fill certain kinds of jobs. For the best of these jobs, employers look to hire women of a certain maturity equipped with certain skills. Therefore we can best serve female students and employers by providing instruction in the public schools which will fit girls for positions of this nature.

However, Marshall goes on to acknowledge that woman's ultimate and highest destiny is to be a wife and mother. She dovetails this with

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[1] Report of the Commission on Industrial and Technical Education, submitted to the Massachusetts Legislature in Accordance with Resolve Approved May 24, 1905.

her concern for providing women with education for employment by proceeding to demonstrate that female industrial training and employment are in fact no more than additional steps in the process of preparing a girl for her life in the home:

> It is evident, then, that the girl of the present day who is obliged to enter the world of industry is in a unique position. More than half of all the girls in our great industrial centers are confronted with the necessity of earning a living between the ages of fourteen and eighteen, and yet many of these girls are to be the homemakers of the future. The opinion shared by a large majority of people is that woman's place is in the home, and that the education of girls should be of a nature which will fit them for that sphere. Such a preparation is without doubt the hope and strength of the American family; but since we see that the schools are today holding less than half of the girls after completion of the grammar grades, and that those who drop out of school are going into some form of industry, the problem becomes one of making the industrial life of the girl supplement or at least not destroy the home training which the grammar schools are attempting to give. The question is how to hold to the ideal for the home in the future, and meet the necessity for earning a living in the present. The girl must inevitably get a large part of her training in the industry where she is obliged for some years to earn her living; and is it not possible for the school to train her to enter that form of industry which will mean further development along the lines which the school has started?
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> ... (T)he more desirable industries ... are at present closed to the young girl because of lack of training. We find almost unlimited demand for girls as dressmakers, as milliners, as machine operators, and as workers in domestic service. This sort of work, while not directly fitting for the home, nevertheless has a very decided bearing upon it, in that it deals with food, clothing, decoration, and the principles of buying. It offers opportunity for that kind of expert knowledge which could be turned to good advantage in the home.[1]

Marshall was undoubtedly correct in asserting that, in 1905, the majority of the populace believed that "woman's place is in the home." A girl not planning to go further with her academic education had her choices circumscribed by this premise. She could take courses which would fit her to be a homemaker or she could pursue a combined program which would provide her with a marketable skill while still equipping

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[1] Id. at 75-76.

her to perform the work of the home. This is clearly shown by the Douglas Commission's recommendation touching the particular subject of vocational education for women:

> The investigation has shown the increasing necessity for a woman to enter the industrial world for the sake of self-support, and hence that she should be prepared to earn a respectable living wage, and at the same time that the attempt should be made to fit her so that she can and will enter those industries which are most closely allied to the home.
>
> The investigation has shown that the vocation in which all other vocations have their root, namely, the care of the home, has been overlooked in the modern system of education. In order that the industrial life of the community may be vigorous and progressive, the housekeepers need to be instructed in the laws of sanitation, in the purchase, preparation and care of food, and in the care of children, that the home may be a home, and not merely a house. [1]

The Marshall view was the prevailing view of its time. A 1910 publication of the National Education Association, entitled "The Vocational Education of Females", sums it up quite neatly, particularly with respect to its allocation of emphasis to each educational goal:

> The aim of the courses for girls is twofold: (1) It is to enable them, through the right sort of homemaking training, to enter homes of their own, able to assume the most sacred duties with an intelligent preparation, and to perpetuate the type of home that will bring about the highest standard of health and morals. (2) The courses of instruction should also train for work in distinctly feminine occupations. [2]

These widely-held beliefs about the need for women to be educated in a special subject and in special ways were known to the persons who designed the Smith-Hughes Act. The inclusion of farm home work in the agricultural grant and home economics in the industrial grant

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[1] Id. at 19-20.

[2] Lazerson and Grubb, eds., American Education and Vocationalism, A Documentary History 1870-1970, p. 115.

surely was seen at the time, in the circumstances of the times, as providing an opportunity for girls to share in the benefits being conferred by the federal legislation. But it was not anticipated that it was to be the sole opportunity. The advocates of trade education for women continued to point out the potential for federal programs. [1] At the same time, and presumably in order to have those programs at all, the proponents continued to limit the scope of their vision to proposing to prepare girls and women only for "suitable" employment and also continued to view the subjects to be taught as being for girls only:

> The occupations for which training is offered [to girls] are distinctly women's occupations and raise no debatable issues. [2]

This willingness on the part of its implementers to circumscribe the potential of the Smith-Hughes Act for girls and women, together with the eagerness to use the new law as a means to maintain the position of home economics in the educational structure, gave the 1917 legislation particular significance for female education. Its special impact was due to its effects in (1) encouraging the growth of home economics instruction and (2) encouraging the separation of vocational programs by sex as a means of enabling educators to serve the special needs of girls. Both of these results have contributed to the isolation of vocational education programs for females. The consequences are still being experienced.

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[1] See, e.g., Federal Board for Vocational Education Bulletin No. 58, "Trade and Industrial Education for Girls and Women", which begins by discoursing at length upon the Congressional intent to qualify trade education programs for both boys and girls under the Smith-Hughes Act.

[2] Third Annual Report of the Federal Board for Vocation Education, p. 70.

2. The Next Half Century

During the decades following the passage of the Smith-Hughes Act, Congress took no action to interrupt the continuing expansion of home economics education in the public schools. The intention to provide something for the girls was fully realized, as the program consistently enrolled most of the female participants in federally-aided vocational education. [1]

The changes which were made in the federal laws during this period all enlarged the scope and the size of the federal commitment to vocational education.

In 1929 the George-Reed Act was passed. [2] It provided additional funds for teaching agricultural and home economics subjects under a formula based on the rural population of a state and furthered the cause of home economics by giving it the status of a distinct category. The George-Ellzey Act, [3] enacted in 1934, acknowledged these three categories and called for the distribution of additional grants to them: funds for agricultural subjects based on farm population figures; funds for home economics subjects, based on rural population; and funds for trade and industrial subjects based on non-farm population. A new category was introduced by the George-Deen Act [4] in 1936, when it was provided that federal funds could be used to promote "distributive occupations." The George-Deen Act was amended in 1946 by the George-Barden Act, [5] chiefly to increase the amount of federal support and to liberalize the restrictions on the uses to which it could be put.

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[1] Levitan, Vocational Education and Federal Policy, p. 5.

[2] Act of February 5, 1929, ch. 153, 45 Stat 1151.

[3] Act of May 21, 1934, ch. 324, 48 Stat. 792.

[4] Act of June 8, 1936, ch. 541, 45 Stat. 1488.

[5] Act of August 1, 1946, ch. 725, 60 Stat. 775.

Another new category appeared in 1956 when practical nurse training funds were added by Title III of Public Law 511, the Health Amendments Act of 1956. [1] Although this course of study was patently another one "for the girls" (in this case, women), [2] increasing the options for females seeking training was not the reason for this legislation. In fact, when attention was given in the hearings to the problem of a shortage of nurses, one of the explanations given for this unfortunate state of affairs was the growing availability of other job choices for girls. [3]

The hearings focused on the extreme need for additional workers in health-related jobs; establishing preparation for health occupations as a special category of vocational education was seen as a way to induce local school systems to initiate the needed training programs. The kind of students which were being envisioned, as well as a sense of the opportunities for which the students were to be prepared, is suggested in the statement of the then-president of the American Vocational Association:

> Practical nurse training will offer training opportunities to girls who have just completed high school, as well as provide training opportunities to many women whose children are grown and who are forced to work to supplement the family income.[4]

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[1] Act of August 2, 1956, ch. 871, 70 Stat. 923.

[2] "The ... provision of practical nurse education ... was the only Federal recognition of training for women during this period [the fifties]." General Report of the Advisory Council on Vocational Education, Vocational Education: The Bridge Between Man and His Work, p. 92.

[3] Hearings on H.R. 11549, H.S. Res. 485 and S. 3958 Before a Subcommittee of the House Committee on Interstate and Foreign Commerce, 84th Cong., 2d Sess. 139 (1956)

[4] Id. at 251.

In 1956 provision was made as well for vocational education "in the fishing trades and industry and distributive occupations therein". [1] Two new components were introduced into vocational education in 1958 by the National Defense Education Act. [2] Area programs were called for, designed to fit "for useful employment as technicians or skilled workers in scientific or technical fields."

These seven pieces of legislation encompassed the range of developments until the decade of the sixties. None of the changes they introduced was responsive to the massive changes that had occurred in American life in general and women's life patterns in particular during this period. The support of home economics as a full program of study -- despite the declining numbers of women living on farms and the growing numbers of women in the work force -- continued. The one program addition which could be categorized as "female" -- the practical nurse training program -- was limited in its size and scope, failed to break away from the tradition of preparing girls for occupations bearing a resemblance to the tasks involved in being a wife and mother, and, because these jobs lack the status which results in good wages, perpetuated the pattern of training women to be inadequate earners.

The sixties saw a thorough re-working of the federal scheme for vocational education by means of the Vocational Education Act of 1963 [3] and the Vocational Education Act of 1968. [4] The initial impetus for this change came from the Report of the Panel of Consultants on Vocational Education, a document prepared pursuant to executive request and submitted to Congress in November, 1962. [5]

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[1] Act of August 8, 1956, ch. 1039, 70 Stat. 1126.

[2] 72 Stat. 1581 (1956), 20 U.S.C. § 401-602 (1974), as amended (Supp. 1975).

[3] Act of December 18, 1963, P.L. 88-210, 77 Stat. 403.

[4] 82 Stat 1064, 20 U.S.C. § 1241-44, 1247-1391 (1974) as amended (Supp. 1975)

[5] The panel was appointed by the Secretary of Health, Education and Welfare as directed by the request of the President contained in his message to Congress on American education delivered February 20, 1961.

The new legislation provided for grants from the federal government to be calculated in terms of special categories of people served rather than in terms of programs offered. Four recipient groups were defined: high school youth preparing to enter the labor market or to become homemakers; youth with special needs; out-of-school youth and adults preparing to enter the labor market; and unemployed or working youth and adults who needed training or retraining to ensure employment stability. Mandatory minimum proportions and ceilings made these calculations very complex. The money granted to the states pursuant to these formulae was to be spent on "maintaining, extending and improving existing programs and developing new programs." The goal was to be the provision of "high quality training which is realistic in the light of actual or anticipated opportunities ... and which is suited to ... (student) needs, interests, and ability to benefit from such training." In keeping with this broadened view of the potential content of this form of education, vocational education was defined in the Act as "vocational or technical training or retraining ... conducted as part of a program designed to fit individuals for gainful employment which may be assisted ... (by the earlier Federal Acts) but excluding any program to fit individuals for employment in occupations ... generally considered professional or as requiring a baccalaureate or higher degree."

The 1963 Act amended the George-Barden and Smith-Hughes Acts, which each provided for permanent appropriations thereunder, to authorize the transfer of allotments made under those Acts to other programs, including those authorized by the 1963 Act; to permit an expanded use of funds earmarked for agriculture; to allow more flexible use of distributive occupations and trade occupations monies; to authorize home economics funds to be used "for vocational education to fit individuals for gainful employment in any occupation involving knowledge and skills in home economics subjects," and to require that at least

ten percent of allotted home economics money be either so used or transferred to another allotment. Thus the 1963 Act provided no new money specifically earmarked for "preparation for the work of the home" and restricted the use of George-Barden and Smith-Hughes money for this purpose to 90% of what it had formerly been.

These changes in the homemaking component of the federal plan, modest though they appear to be, were preceded by a struggle. The conflicting viewpoints are reflected in this interchange during the Hearings on the proposed legislation between Congressman Goodell of New York and Assistant Commissioner of Education Arnold:

> Mr. Goodell: I think when we are talking about vocational education and the Federal involvement in it, again we ought to have some priorities here. We ought to direct, to the extent we can, the State funds and the local funds in the area that we think there is a critical national need. I think it is just a little laughable to say that we think there is a critical national need to home economics. [1]

Mr. Arnold responded by defending the federally-aided home economics program as being more intensive. Mr. Goodell then asked whether he meant that students were preparing for a livelihood in this field.

> Mr. Arnold: When you ask whether they are being prepared to follow homemaking as a livelihood, this is where the broad interpretation has been made of homemaking as a vocation, which has influence or impact upon the economic management of the home. Although a wage isn't paid to homemakers, they are expected to be quite a bit more competent in the management of a home than if they hadn't had this training. [2]

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[1] Hearings on the Vocational Education Act of 1963 Before the General Subcommittee on Education of the House Committee on Education and Labor, 88th Cong., 1st Sess. 681-82 (1963)

[2] Id. at 682.

The point troubling Congressman Goodell was whether courses in home economics prepared students to fill essential jobs. His persistence resulted in House approval of a bill which called for 25% of the home economics allotment to be used to train students for gainful employment. [1] However, his argument that the country was not receiving a measurable return on its investment in home economics was open to rebuttal. In the Senate, the opposition was led by Senator Yarborough.

In one of the Senator's sorties, he placed in the record the statement of Catherine T. Dennis, state supervisor of home economics instruction of the State Department of Public Instruction for North Carolina:

> The value of vocational home economics during the preceding years cannot be estimated in dollars ... 42 percent of the total enrollment in vocational education is in this field with the primary emphasis placed upon strengthening home and family living. The ultimate goal of women is marriage and motherhood. Never in the history of the United States have so many women married and at so early an age ... Preparation for the most important goal of life can no longer be left to 'learning at a mother's knee' because mother is apt to be working away from the family 8 to 9 hours daily .... Home economics is the only subject in the high school program centered around the aspects of daily living .... If the funds are not continued, many schools will be without this program or the amount of instruction offered greatly curtailed. This curtailment will be largely in the innumerable small high schools where it is now the only vocational program offered to girls and adult women. [2]

The last point made by Ms. Dennis should be noted. She identified the place which home economics, sustained and supported by the federal government, had come to occupy in the educational program of thousands of public schools: a course of study intended "only for girls", and thus separate from the ordinary curriculum in that way, and, since it

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[1] H.R. 4955, passed by the House on August 6, 1963. 109 Cong. Rec. 14297 (1963).

[2] 109 Cong. Rec. 18818 (1963).

was thought appropriate for all girls, a course which could be made to serve as the only vocational offering for girls. Ms. Dennis continued her presentation by noting that this result was not incompatible with the growing economic ambitions of females since home economics training could be expanded to prepare students for work in related service occupations. The concept of the dual role for females was still very much alive.

The controversy over the extent to which the federal government should subsidize home economics study which did not prepare students for jobs was resolved by compromise; the legislation finally enacted called for 10% of the total funds to be expended on job-related training. [1]

The 1963 legislation contained another provision of potential importance to girls. For the first time, training in office occupations was recognized as qualifying for federal assistance under the vocational education legislation. [2] When the federal program was first being formulated, thought was given to including commercial education, as it was then known. The final recommendation of the National Advisory Committee was to omit it, ostensibly because training in business and commercial subjects was already offered in many public schools. Federal stimulation is not needed, the argument ran. There is some evidence that there were other reasons for excluding these courses from vocational education. Clerical occupations were turning "female" at about that time:

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[1] Act of December 18, 1963, P.L. 88-210, § 10 (a)(2), 77 Stat. 403.

[2] Act of December 18, 1963, P.L. 88-210, § 8, 77 Stat. 403.

> The comparatively recent development of large offices and stores employing hundreds and thousands of clerical workers in simple routine tasks probably has been the most potent factor in contributing to the great increase in the number of women employed in commercial positions. During the years 1910-1920, women employed in all kinds of trade and clerical work increased over a million, or almost 97 percent in ten years, the number employed as recording clerks increasing 174 percent; as stenographers, 114 percent; as bookkeepers, 97 percent. No fundamental change in social or economic conditions has become noticeable since the last census, and, hence, every indication points to a continuously large increase in the number of women entering commercial occupations during this decade. As the number of clerical, selling, and office-machine-operating positions increases, the number of women employed in these kinds of work will correspondingly increase; for all the occupations are such that women, especially young girls, can easily and quickly learn enough to give satisfactory service in a kind of work they are glad to do. Indeed, it is probable that in a short time all indoor selling and clerical work which does not require great physical effort, much initiative, great responsibility, or long experience and which is not in the line of promotion to very responsible or executive positions will be held by women. The failure of the wages of clerical and store salespeople to increase as rapidly as the wages of factory and industrial employees during the past ten years is another influence tending to the permanent feminization of all these kinds of positions. [1]

As the foregoing excerpt makes obvious, there was a growing tendency to deprecate the skills needed for clerical work; it was claimed that adequate job preparation could be provided to virtually anyone in a short space of time. This made office occupations training sound quite different from the intensive sustained programs the supporters of vocational education were proposing to offer in their separate schools. Regrettably, the teachers of commercial subjects did not oppose the trivialization of their field. They contributed to the effort by persisting in dis-associating themselves from the vocational educators and by adhering

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[1] Lee, Objectives and Problems of Vocational Education, p. 102.

to a curriculum which included many courses unrelated to employment skills.

> Mental ability and technical skill are, however, by no means the only requisite for the woman in office service. An employer invariably demands that the woman in his office shall have "personality" ... [1]

As a result they and their subjects remained part of the general secondary school program and were not recognized components of the vocational education system despite the fact that the students enrolled in their courses were seeking to acquire skills for gainful employment. [2]

By 1963, when federal recognition was extended to office occupations, it appears that qualifying courses were already being given in most public schools, in response to student and community interest rather than governmental stimulation, and thus that the new eligibility for federal assistance did not engender a great deal of program growth in terms of numbers, although it may well have had a beneficial effect on program quality. The expanded federal definition did enable the federal government to generate a new set of statistics which showed increased numbers of female participants in federally-assisted vocational education, this time in courses training for employment, and, for the first time, in a field not related to activities within the home. Although their origins were not traceable to the work of the home, however, many of the jobs defined as being "office occupations" were and are "women's jobs", and thus the courses were, with certain exceptions, considered to be "girls' courses". The pattern of

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[1] Women's Educational and Industrial Union, The Public Schools and Women in Office Service, p. 89.

[2] In subsequent years the private proprietary secretarial schools opposed inclusion of office occupations in the federal program. Levitan, Vocational Education and Federal Policy, p. 3.

sexually separated vocational preparation was therefore reinforced when office occupations were included in the federal scheme; programs were available for girls who wanted to prepare for employment, but they were distinct and separate from the courses of study in which boys enrolled.

The 1963 Act introduced an Advisory Council on Vocational Education and provided for the Council to review and report on the administration of the vocational educational programs receiving federal funds no later than January 1, 1968. [1] The report of this Council [2] furnished the basis for the Vocational Education Amendments of 1968. [3]

The conclusions of the Council were summarized by the Committee on Education and Labor as follows:

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[1] Act of December 18, 1963, P.L. 88-210, §12, 77 Stat 403.

[2] U.S. Advisory Council on Vocational Education, Vocational Education: The Bridge Between Man and His Work.

[3] Act of October 16, 1968, P.L. 90-576, 82 Stat. 1064.

> ...(A)ccording to the Advisory Council on Vocational Education, the 1963 act has fallen short of fulfilling its two major purposes: (1) preparing the student for the world of work and (2) giving particular attention to those with special needs.
>
> At the same time, the Council reports that many vocational programs have become outdated. After many weeks of hearings, the General Subcommittee on Education has concluded that the following five ideas which have been recommended by the Advisory Council deserve serious consideration: (1) any dichotomy between academic and vocational education is outmoded; (2) developing attitudes, basic educational skills and habits appropriate for the world of work are as important as skill training; (3) pre-vocational orientation is necessary to introduce pupils to the world of work and provide motivation; (4) meaningful career choices are a legitimate concern of vocational education; (5) vocational programs should be developmental, not terminal, providing maximum options for students to go on to college, pursue post-secondary vocational and technical training, or find employment. The Advisory Council has recommended that occupational preparation begin in the elementary schools by providing a realistic picture of the world of work. In the junior high school, students should learn about economic and industrial systems by which goods and services are produced and distributed, and they should be exposed to the full range of occupational choices which will be available to them at a later point.
>
> Occupational preparation should become more specific in the high school, though not limited to only one vocation. Instruction should not be overly narrow, but, instead, should be built around significant families of occupations or industries which promise expanding opportunities. Thus, a student can leave the program with a salable skill but is challenged to pursue post-secondary education. Occupational education should be based on a spiral curriculum which treats concepts at higher and higher levels of complexity as the students move through the program. Vocational preparation should be used to make academic education concrete and understandable, and academic education should point up the vocational implications of all education.[1]

The Council expressly recognized the special problems which girls and women seeking vocational education encounter:

> Viewed by sex and age groupings, vocational education opportunities are currently most inadequate for women and out-of-school youth .... For women the problem is worse because of the limited range of courses offered even for girls in school.

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[1] H.R. Rep. No. 1647, 90th Cong., 2d Sess. 2-3 (1968).

> A third of our labor force is made up of women, most of whom are expected to cope with the difficult task of maintaining a home and a career simultaneously. Women predominate as students in practical nursing, business education, and the homemaking programs. They are reasonably well represented in distributive education. They rarely participate in agriculture and trade and industrial programs. Since employment of women is high in manufacturing and service occupations, vocational education must strive to meet their needs in these fields. The first step is for vocational educators to become aware of the available employment opportunities for women in many fields, arrange courses to meet their needs, and structure existing courses to attract their enrollment. The second step is for counselors to encourage their participation outside the traditional areas. [1]

Despite its expressed concern, the Council made no specific recommendations for legislative action to encourage local response to the needs of girls and women, and nothing directed to this end was included in the 1968 Act.

The 1968 Amendments did produce one significant structural change in women's programs, however: homemaking was separated out and given its own funding and status distinct from preparation for gainful employment. The pertinent language is contained in Part F of the 1968 law:

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[1] "Highlights and Recommendations from the General Report of the Advisory Committee on Vocational Education", as reproduced in Hearings on H.R. 15066 Before the General Subcommittee on Education of the House Committee on Education and Labor, 90th Cong., 2d Sess. 120 (1968).

PART F -- CONSUMER AND HOMEMAKING EDUCATION

> ... For purposes of this part the State plan approved under section 123 shall set forth a program under which Federal funds paid to a State from its allotment under subsection (a) will be expended solely for (1) educational programs which (A) encourage home economics to give greater consideration to social and cultural conditions and needs, especially in economically depressed areas, (B) encourage preparation for professional leadership, (C) are designed to prepare youths and adults for the role of homemaker, or to contribute to the employability of such youths and adults in the dual role of homemaker and wage earner, (D) include consumer education programs, and (E) are designed for persons who have entered, or are preparing to enter, the work of the home, and (2) ancillary services, activities and other means of assuring quality in all homemaking education programs, such as teacher training and supervision, curriculum development research, program evaluation, special demonstration and experimental programs, development of instructional materials, provision of equipment, and State administration and leadership.
>
> ... At least one-third of the Federal funds made available under this section shall be used in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life. [1]

As the text of this section of the Act indicates, its sponsors had particularized goals in mind. Just as the energetic turn-of-the-century reformers saw training in household arts as the key to assimilation of the immigrants, so too the reformers of the sixties seemed to see in it a solution to the problems caused by the habits and life styles of the urban poor. Some flavor of this point of view can be found in the comments made at the 1968 subcommittee hearings by Dr. M.G. Hunt, State Director of Vocational Education, Santa Fe, New Mexico:

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[1] Act of October 16, 1968, P.L. 90-576, Title I, 101(b), 82 Stat. 1064.

> Clarification of authorization for homemaking education with a separate appropriation is an important addition to the total education pattern. ... It is also important as a holding power for young girls who are inclined to drop out of school and are not old enough to enter the world of work, and certainly too young to enter into the occupation of homemaking. ... I hope with this program it will be possible to avoid, at a later date, some of the remedial programs being attempted with women who know absolutely nothing about the nutritional value of food, consumer purchasing, care of infants, and home management. I am not sure that we have allocated enough money for this very important segment of training. At least, specific proposals have been made for taking care of our responsibility in training people in perhaps the most important occupation of all -- homemaking. [1]

Another point of view was somewhat inarticulately expressed by Representative Pucinski:

> Mr. Pucinski (agreeing with Dr. Hunt): Homemaking certainly must be a part of this whole process for the simple reason that if you find a prospect of 50 percent of the mothers in this country are working mothers, they might as well be working in jobs that are going to be able to help them meet their goal rather than take on the totally unskilled jobs that don't meet their goal and continue to leave their family wanting ....
>
> ... I read someplace it would cost the average husband about $9,700 to hire people to do the work that the wife does annually. As one of those employers who has to pay that $9,700, I kind of think that maybe we as husbands ought to have some assurance of good job training for these future homemakers also, so long as we are talking about that kind of money. [2]

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[1] Hearings on H.R. 15066, Before the General Subcommittee on Education of the House Committee on Education and Labor, 90th Cong., 2d Sess. 208 (1968).

[2] Id. at 233.

And finally, at those same hearings, Mr. Pucinski reiterated the Marshall view -- just as if sixty years had not gone by -- that the real objective ought to be the preparation of women for dual roles, and this is best done by linking occupational training and homemaking training:

> Mr. Pucinski: When we go to a trillion dollar economy ... we anticipate that 50 percent of the mothers of this country will be required in industry to help meet the needs of American industry, the labor needs. Wouldn't you think that home economics is going to undergo a substantial change also and isn't it just as easy to teach a young lady the basic structure of home economics and at the same time teach a vocational skill so that when she becomes an adult if fate should cast her in the role of a bread-winner as well as a homemaker she will be prepared for that?
>
> Mr. Dellenback: Are you suggesting, Mr. Chairman, that if the young lady involved is to be strictly a homemaker we will teach her how to cook from the raw materials up, and if she is going to hold a job in addition to cooking we will teach her how to handle frozen foods and also use an electronic oven?
>
> Mr. Pucinski: No, that is not what I had in mind. What I was suggesting was that when we teach a young lady how to sew a hem in her dress it is just as easy to teach her how to use a power machine so if she has to get a job in a dress factory she is not going to be a stranger and she will be able to move right into that job ... [1]

The Marshall-Pucinski thesis, now incorporated into federal legislation and therefore transformed into policy, is that some youths and adults should be given schooling which will prepare them to be employable

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[1] Id. at 289.

"in the dual role of homemaker and wage earner". The regrettable consequence of this policy is that the occupations which are compatible with combining roles are the lower-paying ones. Those persons most likely to be trained for dual roles, and thus prepared for low paid jobs, are females. Thus females are offered few opportunities to better their economic condition. If they are poor, they are likely to remain so. Nothing in the theory of vocational education is designed to change this cycle.

Despite occasional expressions of concern for the opportunities for girls and women in vocational education, then, the persons responsible for preparing, enacting and evaluating the federal programs have not acted to enlarge those opportunities during the fifty years following the passage of the Smith-Hughes Act. The federal role has been essentially reactive in this regard; expanded programs providing training in "women's jobs" have been made available, as demands for workers in these fields increased, but no efforts have been made to counteract the forces which operate to maintain programs separated by gender. This is not to say, of course, that the federal participation has caused or furthered that separateness. As observed earlier, separate programs for boys and girls were an accepted educational practice when the public schools began to prepare students for their work roles as adults. The federal government entered the field in a manner which left it open to states to change their programs to respond to changing circumstances. Thus the state, in fact, has always been the final determinant of the nature and range of opportunities available to females.

B. CONTRIBUTIONS OF MASSACHUSETTS TO THE SYSTEM

Massachusetts never fully recovered from the first wave of vocationalism that swept the state to a position of leadership early in the century. Sufficient passions were aroused to produce enduring accomplishments, and many of them still endure. The principles reflected in the design of the Smith-Hughes Act originated in Massachusetts and were initially translated into laws and regulations here: prescribed amounts of learning by doing; specific courses of study geared to produce the kinds of skilled workers demanded by the economy; a program conducted in a setting designed particularly for it and administered by persons equally specialized. A review of the Commonwealth's contributions to the shape of the training programs currently operated in its public schools is primarily an examination of an early flowering of plans and systems and practices. The structure originally created is in large part still with us.

1. The Formative Years

Throughout the nineteenth century the Commonwealth of Massachusetts actively concerned itself with questions of how to provide its inhabitants with opportunities to acquire and improve practical skills. One ultimate consequence of this was the development of an arrangement under which the state would aid schools providing these forms of education. Prior to this point, however, there was an interesting mixture of privately operated schools which received public funds occasionally, local programs which provided some rudimentary training, and charitable institutions providing vocational training for the poor. The earliest programs in which the state was involved were schools offering instruction in agricultural science. [1] Industrial

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[1] E.g., Mass. Acts and Resolves 1848, Ch. 242, incorporating the Massachusetts Agricultural Institute.

science was recognized as well; in 1861 the Massachusetts Institute of Technology was established by the legislature, and funds were appropriated for it. [1] The Massachusetts Agricultural College was incorporated two years later. There was a continuing concern, however, about reaching more of the population. The Board of Education in 1871 was directed to report a feasible plan for giving, in the common schools of the cities and larger towns, additional instruction especially adapted to young persons who were acquiring practical skills in mechanic or technical arts, or were preparing for such pursuits. [2] Along the same vein, the Bureau of Labor and Statistics was asked to prepare a plan for half-time, ungraded schools for children between ten and fifteen years of age employed in manufacturing and other establishments, who attended school only part of the day. [3] Pursuant to the Board of Education's plan, the cities and towns were in 1872 authorized to establish industrial schools and to raise money to make them efficient. Such schools were to be under the superintendence of the local school boards, those boards having the power to employ the teachers and prescribe the arts, trades and occupations to be taught. Attendance at such schools could not replace public school attendance required by law. Limited funds were appropriated to the communities which elected to establish such schools. [4]

In addition to attempting to encourage public secondary schools devoted to industrial or trade education, the legislature of Massachusetts arranged that even younger children should be introduced

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[1] Mass. Acts and Resolves, 1861, ch. 183.

[2] Mass. Acts and Resolves, 1871, ch. 44.

[3] Mass. Acts and Resolves, 1871, ch. 82.

[4] Mass. Acts and Resolves, 1872, ch. 86.

to skill training. Many of these statutes reflected the efforts of that group of educators who believed that every school curriculum should include courses in the practical arts: manual training for boys and household arts for girls. Their accomplishments in Massachusetts during this period include legislative authorization to teach sewing in schools; [1] a resolution encouraging industrial arts in the common schools; [2] a requirement that instruction in the elementary use of hand tools be given; [3] the addition of courses in cooking and general tool use; [4] and a requirement that towns of a specified size provide manual training courses in their high schools. [5]

As noted earlier, the Massachusetts legislature was investigating the need for vocational education nearly a decade before the federal program was launched. Both the study which resulted, and the accompanying recommendations for action, reflected the dual-function view of women and accordingly proposed distinctive vocational educational programs for boys and girls in the Commonwealth. The mechanism intended to accomplish this was the inclusion of subjects related to the "care of the home" -- the domestic arts -- in the listing of courses which could be offered in the new industrial education program. The Massachusetts legislature adopted this proposal and passed enabling legislation: Chapter 505 of the Acts of 1906, An Act to Establish the Commission on Industrial Education. The first section of this law created the Commission. The second enumerated its duties, which included investigating and advising on industrial education, and further authorized it to "initiate and superintend the establishment

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[1] Mass. Acts and Resolves 1876, ch. 3.

[2] Mass. Acts and Resolves 1883, ch. 30.

[3] Mass. Acts and Resolves 1884, ch. 69.

[4] Mass. Acts and Resolves 1894, ch. 320.

[5] Mass. Acts and Resolves 1894, ch. 471.

and maintenance of industrial schools for boys and girls in various centres of the Commonwealth ..." Section three of the law authorized cities and towns to "provide independent industrial schools for instruction in the principles of agriculture and the domestic and mechanic arts ...: provided that the independent schools authorized in this section shall be approved as to location, courses and method of instruction by the Commission on Industrial Education." The remaining sections covered district arrangements, revenue sharing and reporting requirements.

As can be seen, the Massachusetts program was not significantly different from that which Congress adopted when it enacted the Smith-Hughes Act in 1917. The Commonwealth committed itself to share the costs of establishing and operating programs of vocational education. [1] Vocational education was construed as being of three types: mechanical (industrial), agricultural, and household arts, and it was to be offered in distinctly separate programs. Thus Massachusetts (along with other pioneering states, chiefly in the industrialized Northeast) served as a testing ground for the basic components of the federal scheme. The legislative activity which followed the introduction of the program indicates that fitting this new form of public education into the existing educational scheme posed some difficulties. [2] But the problems were administrative ones; no need to alter the substance of the program appeared. [3]

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[1] Initially the revenue sharing arrangement was a complicated one, with the Commonwealth participating on a sliding scale with the referent being the amount expended per thousand dollars of valuation for local tax purposes.

[2] The major problem centered upon whether vocational education should be one of the responsibilities of the state Board of Education or whether its programs should be administered separately. Initially the arrangement was one of separate administrations; consolidation occurred in 1909 (Mass. Acts and Resolves 1909, ch. 457).

[3] The Massachusetts design was fully codified in Chapter 411 of the Acts of 1911. The substance of this Act, contained in the definitional section, varies from the present text of Chapter 74 very little. Distributive Education has been added and some of the flavor of the 1911 legislation has been edited out, such as the description of agricultural education as "preparation for the occupations connected with the tillage of the soil".

The operating system which appeared in response to the 1906 legislation was one which offered girls separate and different training, in keeping with the thinking of the time. [1]

The new programs did not deviate from the then accepted methods of pupil organization; courses of study for boys and girls were administered separately and, where possible, housed separately as well. By 1910 five schools for industrial education were already operating in the Commonwealth pursuant to the authorizing legislation: New Bedford Industrial School (1909); Lawrence Industrial School (1909); Newton Independent Industrial School (1909); Girls' Trade School in Boston (1909); and Worcester Trade School (1910). [2] Of these, only Girls' Trade appears to have been expressly intended for and limited to female students. Separation was achieved in the others by means of the course offerings. In at least one, both girls and boys were expected to enroll; the Lawrence school's curriculum

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[1] Throughout the nineteenth century Massachusetts had been following the prevailing patterns of female education. As befits a progressive city, Boston in 1825 accepted a proposal to establish a "public school for the instruction of girls in the higher departments of science and literature." Up until that time no public secondary education of any kind had been available to girls. Three hundred girls attempted to enroll when the school was opened. Because of its inability to meet the demand, the school was closed two years later. In 1848 Charlestown and Dorchester began high schools for girls and in 1852 Boston made a second attempt. The school was justified by the superintendent of schools because of the need to train young women to be primary and grammar school teachers. This was Girls' High School, which continued to be Boston's public secondary school for girls until Girls' Latin School was established in 1878 to be a college preparatory school comparable to the Boys' Latin School.

[2] National Society for the Promotion of Industrial Education, Bull. No. 11, "A Descriptive List of Trade and Industrial Schools in the United States," pp. 11-12.

consisted of "Textile Arts and Mechanic Arts for boys and Domestic Science for girls." [1] In the others it seems likely that boys were expected students. Worcester offered studies in machinery, pattern making and cabinet making. Newton's courses were similar. New Bedford's school was founded "to furnish instruction for girls and boys over 14 years of age in the principles of Domestic and Mechanic Arts." As it turned out, however, it opened with offerings in applied science, metal working, automobile and machine drafting, woodworking and drafting for wood construction, and 75 students enrolled in the day program, all of whom were boys. [2] In contrast, Girls' Trade provided one year programs in dressmaking, millinery, clothing machine operating and straw machine operating. [3]

By the time the Smith-Hughes Act became law Massachusetts had a considerable part of her system in place: twelve industrial schools for boys, two industrial schools for girls, four agricultural schools for boys, three homemaking schools for girls, and a significant number of part-time, cooperative and evening programs. The smaller number of girls' industrial schools and the existence of separate schools devoted to teaching domestic skills are both circumstances which can be attributed to the activities and the views of the feminists of that era. Massachusetts educators were

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[1] Id. at 12.

[2] Id. at 11-12.

[3] Id. at 12.

firmly convinced that industrial training for girls should only be provided in trades where there were jobs for women "which would afford a living wage and the development of efficiency." The initial step in the process of applying this standard was made possible by a 1902 study by the Massachusetts Bureau of Labor and Statistics entitled "Sex in Industry", which tabulated the industries entered by women within the state. Examination of the results of this study led Florence Marshall to make this pronouncement:

> Women are not now and never will be in industries which require the heavier manual labor, and this has meant the separation of the sexes on the basis of material used [women -- textiles; men -- woods and metals] and tools employed [women -- needles; men -- larger ones]. Another line of differentiation is equally fundamental, in that women are found successful in the occupations requiring artistic sensibilities or powers, and fineness of touch, while men are employed in the pursuits demanding a comprehension of and a genius of machinery and mechanics. [1]

This form of thinking found its way into educational practices as a limitation upon the kinds of occupations for which females ought to be prepared. Girls were trained for the needle trades, and later on for work connected with food preparation. Their single option was as to whether to obtain intensive training or not. In Boston this choice was made by the selection of which school to attend -- Girls' Trade or the High School of Practical Arts. By 1913 the trade school was offering six courses of study: dressmaking, millinery, clothing machine operating, straw machine operating, cooking and serving, and catering. [2] The mission of the school was "to give

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[1] National Society for the Promotion of Industrial Education; Bull. No. 4, "Industrial Training for Women", p. 22.

[2] The Women's Municipal League of Boston, Education Dept., Handbook of Opportunities for Vocational Training in Boston, p. 192.

to girls between the ages of 14 and 25 sufficient training in a trade to enable them to earn a living wage. No claim is made that the girls learn a trade, but simply that enough shop practice is given them to enable them to work intelligently and efficiently as assistants to dressmakers, milliners, or cooks, or to operate power machines with some degree of accuracy and speed." [1] Trade High School offerings were augmented by those of the High School of Practical Arts, which aimed "to prepare pupils in the subjects that underlie the practical arts of the household and to provide definite industrial training for those who wish to enter some skilled trade." [2] This was one of the "homemaking schools." It offered instruction in household science, millinery, dressmaking, sewing and cooking.

The boys' schools in Boston which fit into the vocational education category were two: Boston Industrial School for Boys and Mechanic Arts High School. In 1913 the industrial school offered machine shop work, carpentry, sheet metal work, electrical work, printing and bookbinding. [3] The mechanical arts school offered drawing, industrial design, carpentry, wood carving and turning, pattern making, forging, machine shop work and industrial physics. [4] It is interesting to note that at that time Boston also offered boys a commercial education in their own high school, the High School of Commerce, which had as its object giving "boys a sound preparation for commercial life" through courses in "English, with special reference to business forms; bookkeeping and accounting: business administration: local industries; stenography and typewriting; commercial design; law; geography and arithmetic; economics; history of commerce and industry." [5]

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[1] Ibid.

[2] Id. at 191.

[3] Ibid. at 182.

[4] Id. at 183.

[5] Id. at 164.

These three schools were seen by their proponents as complementary parts of a unified system for preparing boys to enter the world of work: the industrial school fit them to enter the productive side of industry; the school of mechanical arts prepared a boy "for favorable entrance as a non-commissioned officer in industry ... on its business and directive side"; while the High School of Commerce was "fitting boys to become non-commissioned officers in business and commercial pursuits." [1] No similarly exalted expectations seem to have been indulged in for the graduates of the girls' schools. However, it should be noted that girls in the Boston school system were provided with another option about this time. Studies of commercial opportunities were made in 1913 at the request of Boston's superintendent of schools, and it was found that "there are so few men occupied or needed in stenographic positions (in Boston) that it is not worthwhile for many boys to take training for work of this character. The practice of stenography is essentially a girls' occupation." [2] The girls in Boston apparently had found this out for themselves:

> So great has become the demand for "business education" for girls that nine of the eleven Boston high schools open to girls in 1913 and 1914 offered commercial courses. In these nine general high schools, 5,832 girls were enrolled in 1912 to 1913, of whom 3,699 (or 63.4 per cent) elected one or more technical commercial subjects, phonography, typewriting and bookkeeping. [3]

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[1] Prosser, A Study of the Boston Mechanic Arts High School, p. 15.

[2] Leake, The Vocational Education of Girls and Women, p. 350, quoting from the Report of the Committee on Education of the Boston Chamber of Commerce.

[3] Women's Industrial and Educational Union, Department of Research, The Public Schools and Women in Office Service, p. 25.

The system's eventual response was to open the Clerical High School in 1914, a combined secondary and post-secondary school offering courses preparing for office service (girls only; two years of high school required), stenography and higher clerical work (girls only; three years of high school required), and secretarial work and bookkeeping (young men and women who were high school graduates).

Boston's history provides some insight into the conceptual and administrative problems connected with introducing vocational education into the public school program. In determining whether to move in these new directions, local school committees proceeded cautiously. The decision to establish a separate vocational program, and if so, whether to create a separate school for girls' training, was not lightly made. The test used in making this decision was the one which still appears to be in use today: whether there were jobs for girls to fill. An interesting example of the kind of preliminary work which was done is a study conducted by the research department of the Women's Educational and Industrial Union of Boston as to the need for a girls' trade school in Worcester, Massachusetts. [1] Three questions were asked:

(1) What is the need of a trade school for girls? (To be answered by determining what girls do after they leave school.)

(2) What kind of trade school should be established? (To be answered by identifying the demands for young girl workers.)

(3) What would be the probable number and the personnel of the prospective students of such a school? (To be answered by ascertaining social conditions of the home, ambitions of the parents, educational advancement of the children in a particular community.)

The researchers were responding to inquiries from three communities: Worcester, Cambridge and Somerville. According to Dr. Charles Prosser's introduction to the report, the studies "resulted in the

[1] U.S. Bureau of Education Bulletin No. 17, "A Trade School for Girls" (1913).

establishment of trade schools for girls which are now in successful operation in three cities", [1] but there is no evidence that this in fact was the case in Cambridge and Somerville.

The analytic techniques used by the Women's Educational and Industrial Union researchers contributed to the restriction of training opportunities offered girls, both because employment opportunities for women were limited, and thus employer demand for female workers was not high, and because young girls themselves had limited expectations. One result was that the value of the schooling offered was questioned:

> Trade schools for girls ... have been largely restricted to dressmaking and millinery, owing to a general idea that girls should have, or were demanding, these subjects. In too many cases they have been introduced with little knowledge of local industrial conditions, hours of labor, wages paid, chances of steady employment and opportunities for growth and promotion within the industry. In many localities there are other industries which offer much better opportunities for girls than either dressmaking of millinery. The preparation of girls and women for occupations in which their training is stopped, where they are allowed to do only the unimportant and mechanical parts of the work with the consequent low wages, or in which there are no opportunities for promotion either within or without the industry, is useless and should never be undertaken. [2]

Moreover, the prevalent social norm for girls was an adult life spent in the home as a wife and mother. The preference was for education in homemaking, a course of study which did not require a separate school, although in the early years some were established. The disinclination of communities to commit resources to buildings to house separate trade and industrial programs for girls can be

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[1] Id. at 5.

[2] Leake, The Vocational Education of Girls and Women, p. 231.

seen from a comparison of the numbers of such schools established in Massachusetts for boys and for girls: in only the very largest cities were separately housed schools for girls built or acquired: in contrast, a total of 56 communities established trade schools for boys between 1907 and 1968. [1]

The content and operation of vocational programs was guided from 1906 on by the state agency responsible for approving courses of study for reimbursement. The system as it evolved between 1906 and 1917 appears to have been almost perfectly attuned to the provisions of the Smith-Hughes Act. When the Commonwealth accepted the benefits of the Smith-Hughes Act, the only change which it needed to make in its own legislation was to open up evening classes to all persons over the age of sixteen. [2]

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[1] The cities with trade schools for girls were Boston, Fall River, Lowell, Springfield and Worcester.

[2] Mass. Acts and Resolves 1917, ch. 215.

2. The Next Half Century

Once the federal/state partnership in vocational education was underway, Massachusetts became obligated to meet Federal program standards in order to receive federal funds, but this was not an onerous burden. The federal policy formulation has always left adequate room for experimentation and innovation. Thus it has been open to Massachusetts to redesign its vocational education programs in order to respond to the increasing interest of girls and women in preparing for gainful employment and their growing acceptance by employers. This has not occurred, however. In fact, the Commonwealth lags in this respect, having failed to expand its state program to correspond with changes at the federal level which have legitimized business courses and resulted in increased female enrollments in vocational education as it is defined for federal purposes.[1] The major cause of the lack of initiative in Massachusetts after 1917 would appear to be wide-spread satisfaction with the structure and system which had evolved by that time and which was admirable for its time. The persons responsible for creating it and operating it have focused on maintaining and enlarging the system; changing it has not been on their agenda.

This trend is indicated by the lawmaking which has occurred. After the passage of Smith-Hughes and its acceptance by Massachusetts, state initiative disappears from the legislative annals. There was a general recodification of laws regarding education in 1921, and all the statutes pertaining to vocational education were brought together in Chapter 74 of the General Laws, where they still may be found. Administrative structure has been altered from time to time; the list of expenditures which will quality for state reimbursement

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[1] See pp. 63-66 supra.

and the ratio of state to local participation for some of these has been changed, and the regionalization of vocational schools has been actively encouraged by the legislature. The disruption of the Depression and World War II produced some short-termed measures intended to deal with unemployment, the need for intensive training programs and the problems of the veterans, but none of these was permanently incorporated into the system. The substantive changes that have occurred in the definitions of qualifying programs uniformly have been in response to changes in the federal laws. Thus, in 1938 distributive occupations were added to the program in response to the George-Dean Act. [1] In 1957 practical nurse training schools were authorized. [2]

The federal innovations of the sixties produced only one response from the state legislature: the state Board was authorized to "establish no more than three experimental school projects for the development of educational innovations" and a commission was created to "prepare and develop plans for experimental schools." [3] That is all.

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1 Mass. Acts and Resolves 1938, ch. 446. This legislation introduced many of the definitions found currently in Chapter 74.

2 Mass. Acts and Resolves 1959, chs. 74 and 599.

3 Mass. Acts and Resolves 1967, ch. 808.

C. INSTITUTIONALIZING SEPARATISM

Legislative slack in the continuing development of vocational education could, of course, be taken up by administrative action, but that does not seem to have happened in Massachusetts. The system of vocational education initially embodied and reflected the principles contained in the legislation, as might be expected, and there appears to have been little administrative impetus to change thereafter. Hence the separation of programs of girls and boys, begun when the first public vocational schools opened their doors to students, has continued. The "Roster of State-aided Vocational and Part-time Schools" which appears in the annual state reports of the Bureau of Occupational Education has consistently over the years categorized many of the schools as being for males or for females. The primary distinctions by sex are: Industrial Schools (boys), Day Industrial Schools (girls), Trade Preparatory Schools for Boys and Men, Trade Preparatory Schools for Girls and Women. Whereas the Roster does not make this explicit distinction by sex in the case of agricultural schools, homemaking schools, and health occupations schools, male/female enrollment figures over the years for the programs offered at these various types of schools show that these schools almost exclusively enroll students of only one sex (see enrollments discussed below).

The schools listed by the Roster as Day Industrial Schools (girls) all, at the time of their establishment, had the phrase "for Girls" in their school name. Some of these schools have allowed boys to enroll in certain programs; however, their primary emphasis has been on female education. Likewise, those schools listed by the Roster as Industrial Schools (boys) also have enrolled girls in their

schools, although in small numbers. A school may be listed more than once on the Roster when it offers more than one category of program within its physical facility. Thus it may appear both under Industrial Schools (boys) and Day Household Arts Departments. In communities with these schools boys and girls pursue their education in the same building, but, as the enrollment figures below will show, there has been little co-mingling between the sexes in the vocational classrooms.

Evidence of the sex segregation in the vocational schools, by program and by physical facility, is found in the Bureau of Occupational Education's Annual State Reports. Extracts from these reports reveal that the duality of vocational education based upon sex has been a basic assumption of the system. The co-mingling of sexes has been the exception to the established pattern, and as such the reports take notice of it.

With regard to trade and industrial education, the high water mark for integration of the sexes was World War II. Through the War Projection Training Program women were enrolled in trade and industrial programs which were previously open only to men. Twenty-seven thousand, three hundred and thirty five (27,335) women received training for jobs in areas such as blueprint reading, radio and communication, and welding. The program began in the fall of 1940 and terminated in July, 1945. The following statements about the women who participated in this program appeared in the Annual State Reports of FY 1942 and FY 1943:

FY 1942:

The experience of industry in using women in occupations formerly considered reserved to men has been very satisfactory. Women appear to be able to do most of the jobs which men formerly did, and in many instances do them as well, if not better. Examples of women who have received training and have gone into industry, receiving large weekly pay, bear evidence to the fact that women are efficient operators, making a real contribution to the war production program.

FY 1943:

> The employment of women in industry has now passed beyond the experimental stage. Women have proved that they have mechanical ability, and that with very limited training they are able to hold jobs in war industries in fields heretofore undreamed of for women. As a result of this past year's experience many of those persons most skeptical, or even antagonistic to the employment of women in industrial jobs which were formerly considered to be only for men, have become their most enthusiastic supporters.

Thus for a short while, during a national emergency, trade and industrial training was available to a large number of women. The women trained were still a minority, comprising only 27% of the total of those who completed the War Production Training Program. The emerging situation which existed during the war did not have much of an impact on the traditional secondary program. In the school year ending June 30, 1934, 1,046 girls were enrolled in full-time day (secondary) trade and industrial programs; for the school year ending June 30, 1943 this figure was 1,752; for the school year ending June 30, 1948 this figure was 1,106. The War Production Training Program operated independently of the regular day secondary program. It is clear from the 1948 figure quoted above that the type of training afforded to women in this special program did not spill over into the regular post-war secondary course of study for girls. The sex segregation of vocational education persisted after the war. The following facts are illustrative of this condition:

The 108th Annual State Report (FY 1942-43) notes the passage of a statute that year (Chapter 540 of the Acts of 1943) which allowed both men and women to enroll in the adult homemaking classes of the Practical Arts Program. This is change from a previously legislated sex-segregation practice. The 112th Annual State Report (FY 1947-48) points out that men and boys continue to enroll in small numbers in the full-time programs in the Girls' Trade Schools, especially in the Foods Trade, Hair and Skin, and Tailoring departments.

In speaking of enrollment trends in trade and industrial programs, the annual report for fiscal year 1955 makes a distinction between boys' fields and girls' fields. Beauty Culture and Needle Trades are specifically stated to be girls' fields in the fiscal year 1956 report. Enrollment in the all-day trade schools for the 1954-55 school year was 11,465 boys and 1,310 girls; for the 1956-57 school year it was 11,379 boys and 1,213 girls. An exception to the usual sex-segregation occurred during the 1959-60 school year when the David Hale Fanning Trade High School for Girls voted to accept boys in the Food Trades departments. The first boys were admitted the following school year. Another exception occurred in FY 1962 when, for the first time, boys were admitted to day health occupations schools in Boston, Essex County, Lawrence, Pittsfield, Springfield and Taunton. On the other hand the FY 1962 report also announced the opening of South Shore Regional Vocational Technical High School with an enrollment of 135 boys.

Vocational education in Massachusetts in practice began and continued to operate in two rather distinct spheres, one for boys and one for girls. This descriptive picture is born out statistically by Table 1. In terms of total enrollment the proportion of males and females enrolled in vocational programs has been fairly equal:

School Year	Females as % of total enrollment
1932-33	50%
1941-42	45%
1943-44	48%
1947-48	44%
1953-54	57%
1957-58	57%

But the distribution of males and females in particular programs is extremely uneven. For each of the selected school years in Table 1 there were no females enrolled in agricultural programs. In 1948 males constituted 2% of the total home economics enrollment and in 1958 5% of that total. For the remaining years listed there were no males enrolled in home economics programs. Enrollment in practical nursing programs was reported for the first time in 1958. It was 100% female. The percentages of females enrolled in trade and industrial programs has been consistently small. On the other hand, one program appears to have evolved into a balanced state. The percentages of females enrolled in distributive education courses for the years listed in Table 1 are:

School Year	Females as % of Total Enrollment in Distributive Programs
1933	Program not in existence
1942	79%
1944	70%
1948	71%
1954	60%
1958	59%

The enrollment patterns in Massachusetts, then, suggest a tripartite classification: male courses of study (agriculture, trade and industrial); female courses of study (home economics, health occupations); and neutral courses of study (distributive education, although this was not always true).[1]

One explanation of the phenomenon of sex-linked courses of study may lie in the fact that vocational educators made the linkage explicit. In 1968, when the Town of Lexington was engaged in

[1] The neutrality of this field of study was also noted by Kaufman, et. al., in their 1966 study of secondary school programs.

initial planning for participation in a regional vocational technical school district, it conducted an occupational interest survey among its high school youth, using a questionnaire "patterned after those used successfully by neighboring communities." [1] The questionnaire asked the students to indicate interest in twenty occupational areas, and labeled each (B) or (G) or (B&G). These letters were explained as indicating "whether course is offered to 'B' for 'Boys' or 'G' for 'Girls'." [2] Brochures from vocational-technical schools already in operation contained the same explicit message. Courses of study such as auto body, carpentry and machine shop were open only to boys; only girls could be dental assistants; and both sexes were informed they could study electronics, graphic arts and machine drafting. [3]

Further proof of sex segregation is found in Bulletin 326, the handbook of state regulations governing vocational education. The Bulletin was first issued in 1933 and revised in 1951. In it a Day Household Arts School is described as one which "... affords an intensive, comprehensive homemaking program to girls who, for one reason or another, may not be interested in the conventional high school program or who may have graduated from high school." In describing the courses of study offered at such a school the Bulletin states "... While the fundamental principles of homemaking are as sound for one girl as another, it is the function of the day household arts school to teach her to interpret these principles and to apply

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[1] Report of Advisory Committee on Technical Vocational Education, Appendix Exhibit 5, p. 1.

[2] Id. The questionnaire is reproduced as Document 1 in the Document Appendix to this report.

[3] Blue Hills Regional Vocational Technical School undated brochure, p. 7.

them to her personal, family and community problems." Similar references to the sex of students are not found elsewhere in the Bulletin, but it is replete with restrictions as to the sex of the teachers of vocational subjects. If one believes the Bulletin, teachers of agricultural, household arts and industrial subjects must be "men as teachers for men and boys" or "a man for boys' classes" and "a woman for girls' classes" or "as teacher for girls' and women's occupations" or "women as teachers of women and girls." The expectation that classes shall be separated by sex couldn't be communicated more clearly.

A comparison of specific curriculum offerings highlights the disadvantages which separatism has produced. The ebb and flow of courses and pupils at the trade schools in Boston is particularly instructive. When Girls' Trade first became part of the public school system in 1909 it offered four courses: dressmaking, millinery, clothing machine operating and straw machine operating.[1] By 1913 cooking and serving and catering were also available.[2]

The Industrial School for Boys, which began in 1911, offered electrical work, machine shop, printing and bookbinding, carpentry and sheet metal work.[3] Its 1914-15 enrollment was 222; Girls' Trade had 772 students.[4]

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[1] National Society for the Promotion of Industrial Education, Bull. No. 11, "A Descriptive List of Trade and Industrial Schools", p. 30-32.

[2] The Women's Municipal League of Boston, Education Dept., Handbook of Opportunities for Vocational Training in Boston, p. 192.

[3] Id. at 181

[4] Report of a Study of Certain Phases of the Public School System of Boston, Mass., made under the auspices of the Boston Finance Commission, pp. 105, 111.

In 1943, there were seven courses of study at Girls' Trade: catering; commercial art; costume design; dressmaking; embroidering; millinery and cosmetology. By then there were 13 courses of study at Boston Trade High School for Boys: aeronautical mechanics; automotive mechanics; cabinetmaking; carpentry; machine drafting; machinist and toolmaking trades; painting and decorating; plumbing; printing; electrical trades; radio repair; sheet metal work; and welding. Girls' Trade claimed 523 students, while Boys' Trade had 1515. [1]

By 1970, the girls' opportunities, never having achieved equality, had come full circle and were back to four: clothing trades; food trades; beauty culture; and commercial art. Only 479 girls were enrolled. Only six members of the graduating class (numbering fifty-three) found work in the occupations for which they were prepared. In contrast, Boys' Trade at this time offered twelve courses of study: automobile; basic electronics; cabinetmaking; carpentry; drafting; electrical work; machine shop; painting; plumbing; printing; sheet metal work; and welding. Ninety-six of its 131 graduates found work in their field. [2]

In early 1973, the Boston School Committee voted unanimously to close Girls' Trade at the end of the school year. Enrollment by then was down to 264. The Committeeman making the motion said that these students "would be absorbed in other schools." [3]

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[1] Report of a Survey of the Public Schools of Boston, Massachusetts, conducted under the auspices of the Finance Commission of the City of Boston, p. 676.

[2] Bryan, "Discrimination on the Basis of Sex in Occupational Education in the Boston Public Schools", a report prepared for the Boston Commission to Improve the Status of Women, pp. 7-8.

[3] The Boston Globe, January 10, 1973.

At a time when women are entering the work force in ever increasing numbers, and remaining there, these consequences of separatist policies are particularly regrettable.

Perhaps it could be said that the lesson to be learned from the saga of the Boston trade schools is that institutionalized separatism in vocational education will wither away of its own accord if we wait long enough. If one instead prefers to act, however, it is important to understand the reasons why our public system of vocational education now is at the point we find it: a system which distinguishes males from females and offers girls and women different programs in different settings, with fewer and lesser opportunities to acquire the skills that will enable them to be economically self-sufficient.

The initial thrust of the grand design of vocational education appears to have been to create a distinctive system encompassing programs for boys and girls that were an equal response to the needs of each sex. But the system for girls never reached maturity as a separate system. One way of explaining that failure is to turn again to the legislative history which we have earlier examined. Implicit in the thinking of the times was the assumption that all girls needed home economics training. To serve all girls it was necessary to place that training for the home in that set of institutions which served all girls: the regular high school. The desire to avoid duplication of home economics programs by placing them in vocational schools as well as in regular schools led to the practice of offering other vocational courses for girls in the regular high schools.

What we see, therefore, regardless of its origins, has been a trend that moves vocational training for males out of the regular high schools into separate institutions, yet retains female subjects in

the regular high schools. This trend is further reinforced in Massachusetts by the failure of the state to recognize and support as a legitimate course of vocational study the most significant girls' trade: Office Occupations. Thus, that course of study, too, has become largely the offering of regular high schools.

The conclusion to be drawn is that males and their courses of vocational study have moved out of the regular high schools; females and their courses have remained. Hence we find that we can talk about a separate (male) system of vocational education, which turns out to be the preferred system when any one of a number of measures are used. We now turn to an examination of the statistical picture to support this view.

CHAPTER IV: THE CONTINUING SEPARATION OF MALES AND FEMALES

The Massachusetts system of vocational education, beginning when it did, incorporated the policy of separation by sex without questioning it. There is a considerable amount of evidence to support the contention that the policy has become institutionalized to such a degree that it will continue until an affirmative effort to eliminate it is made.

A. EVIDENCE OF SEPARATE SYSTEMS

In considering the available data on who is receiving vocational training in Massachusetts, it is extremely important to understand that the problem is not one of numbers of individuals served; more females than males are enrolled in federally-recognized vocational education programs in Massachusetts.[1] The problem is one of range: which sex is offered the greater range of vocational education opportunities? When information is assembled[2] which shows the clustering characteristics of students by sex and course offering, the answer to that question becomes very clear.

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[1] In FY 1973 these were the figures:

M 77,499
F 104,634

Annual Report of the Occupational Programs, Massachusetts FY 1973

[2] The source of the data which follows is the FY 1973 Annual Report. All figures include secondary, post secondary, and adult students. Comparison with FY 1969 enrollments, which are available by sex for each of the student categories, indicates that the sex ratios are reasonably consistent across all categories. The data presents difficulties because it is not clear whether a student is being reported as enrolled in a program (a full-time course of study) or as enrolled in a course. It is conceivable that the two types are intermingled, so that, e.g., a boy being trained in auto body is reported only once, while a girl preparing for office work who is taking stenography, typing and office machines is reported three times.

One hundred and two course offerings which prepared secondary level students for gainful employment were available in FY 1973.[1] There were 59,820 females and 59,695 males enrolled.[2] The courses are categorized by field as follows:

Agriculture (8)
Distributive Education (20)
Health (7)
Homemaking Occupational Preparation (6)
Office Occupations (10)
Technical Occupations (9)
Trade and Industrial Subjects (39)
Special Programs (4)

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[1]This total number of courses does not include the Consumer and Homemaking offerings, since those courses are not intended to prepare students for work outside the home. The homemaking-related courses which are claimed to lead to employment are categorized as Homemaking Occupational Preparation; these are included in the total figure. Also not included is the course of study in Typing and Related Occupations, which does not appear to us to be in and of itself a full time program leading to employment. Special program classes, which enroll handicapped students, are included in this listing. The course offerings described in the official tabulation as "Other" are also included on the assumption that the programs covered by this term are providing students with general skills related in each case to the appropriate broad category of vocational education.

[2]The difference between these figures and the total vocational enrollment for FY 1973 is accounted for by the students enrolled in non-employment-related courses and our omission of those courses which enroll only post-secondary students (See Table IV.1, note 1). The eight Consumer and Homemaking courses enrolled a total of 15,268 females and 1271 males, in the following groupings:

	M	F	%F
Child Development	26	1805	99
Clothing & Textiles	8	4184	99
Consumer Education	240	1694	88
Family Relations	26	618	96
Food & Nutrition	693	3926	85
Home Management	150	1892	93
Housing & Home Furnishings	117	823	88
Other	11	326	97

The Typing and Related Occupations course had a FY 1973 enrollment of 26,665 females and 7183 males.

As Table IV.1 shows, enrollments in these courses reflect marked patterns.

16 courses - all male
25 courses - at least 90% male
2 courses - all female
11 courses - at least 90% female.

The 41 male courses have 33,150 males in them and 752 females. The 13 female courses have 25,612 females enrolled in them and 987 males. Thus, more than half the males and almost half the females receive vocational training for employment under circumstances which suggest a link between the sex of the student and the occupational training being given.

There are fewer sex-linked [1] courses for girls: 13 as compared to 41 for boys. Moreover, 1 of those 13 courses - stenographic secretarial and related skills - enrolls 15,852 of the females. Twenty-six per cent of the females enrolled in vocational education programs are thus concentrated in a single course offering.[2] There is no male concentration which even remotely resembles this.

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[1]Meaning those in which the enrollment is 90% or more of one sex.

[2]As previously noted, but worth repeating, Office Occupations courses are not normally recognized by the state as vocational education programs, and local school systems are not reimbursed under Chapter 74 for any of their costs.

The clustering of students by sex in each of the course offerings establishes the sex-linkage accorded the seven fields of vocational education preparing for gainful employment:[1]

Trade and Industrial subjects -- MALE

28 are male-linked [2]
2 are female-linked
9 are neutral [3]

Technical subjects -- MALE

8 are male-linked
1 is neutral

Homemaking Occupational Preparation -- FEMALE

5 are female-linked
1 is neutral

Health -- FEMALE

4 are female-linked
3 are neutral

Office Occupations -- NEUTRAL

1 is female-linked
8 are neutral

Agriculture -- MALE/NEUTRAL

4 are male-linked
4 are neutral

Distributive Education -- NEUTRAL

18 are neutral
1 is male-linked
1 is female-linked

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[1] It should be appreciated that all of the nongainful courses of study have enrollments which are more than 75% female. Consumer and Homemaking programs have a total enrollment that is 93% female.

[2] I.e., the enrollment is 90% or more male.

[3] The term "neutral" as used here is misleading. These courses may be imbalanced in favor of one sex or the other by as much as 89.9%. See Table IV.1 for a listing of the courses with enrollments between 75% and 89.9% of one sex.

TABLE IV.1.

SEX LINKAGE OF VOCATIONAL PROGRAMS 1972-73 [1]

72-73 COURSES -- 100% MALE

		#M
(AGRIC)	Agriculture Mechanics	188
(DISTRIB)	International Trade	1
(TECHNIC)	Automotive Technology	180
	Electronics Technology	552
(TRADES & IND)	Air Conditioning	370
	Appliance Repair	78
	Commercial Fishery Occ	3
	Masonry	298
	Plumbing & Pipefitting	1989
	Custodial Services	37
	Diesel Mechanics	1
	Instr. Maint. & Repair	132
	Maritime Occ	10
	Other Personal Serv	3
	Refrigeration	23
	Stationary Energy Source	292

100% FEMALE

		#F
(OCC PREP)	Other	223
(TRADES & IND)	Textile Prod & Fab	191

[1] Source for enrollment #s: Massachusetts Annual Report of Occupational Education, Fiscal Year 1973, Enrollments in Vocational Education Programs, OE form 3138. Table excludes those programs which have no enrollments at the secondary level: 10 in Health, 7 in Technical, and 2 in Trades & Industry. Of these, 6 are female-linked, 9 male-linked, and 4 neutral; the female-linked are all in health. Also excluded are all Consumer and Homemaking programs and the course of study in typing and related skills. See notes 1 and 2, p. 118, supra.

91-99.9% MALE

		M	F	%
(AGRICUL)	Agriculture Products	170	3	98%
	Agricultural Resources	277	7	98
	Forestry	143	1	99
(TECHNICAL)	Aeronautical Technol	120	1	99
	Architectural Technol	31	1	97
	Civil Technol	157	3	98
	Electro-Mechanical Technol	254	1	99.6
	Industrial Technol	71	1	99
	Mechanical Technol	231	1	99.6
(TRADES & IND)	Body and Fender	1352	20	99
	Auto Mechanics	4746	150	97
	Other Automotive	409	31	93
	Blueprint Reading	173	13	93
	Carpentry	4111	23	99.4
	Electricity	4648	33	99
	Other Const. & Maint	1284	1	99.9
	Drafting Occ	2546	123	95
	Elec Occ	815	11	99
	Electronic Occ	2355	75	97
	Metal Working Occ	5841	19	99.7
	Metall Occ	741	2	99.7
	Plastics Occ	115	3	98
	Other Public Service	433	9	98
	Small Engine Repair	620	31	95
	Woodworking Occ	2096	189	92

91-99.9% FEMALE

		M	F	%F
(DISTRIB)	Floristry	6	118	95%
(HEALTH)	Dental Assist	1	298	99
	Nurses Assist	22	677	97
	Medical Assist	22	372	94
	Health Aide	22	503	96
(OCCUP PREP)	Care & Guidance of Children	91	176[illegible]	95
	Clothing Mgt, Prod., Serv.	15	2755	99
	Home Furn Equip & Serv	8	1152	99
	Inst & Home Mgt & Support	26	1192	98
(OFFICE)	Steno, Secy & Related	740	15852	96
(TRADES & IND)	Cosmetology	56	518	92

75-90% MALE

		M	F	%M
(AGRIC)	Agric Supply & Serv	170	46	79%
(DISTRIB)	Automotive	620	91	87
	Hdware, Bldg Mater, etc.	36	4	90
	Hotel & Lodging	83	15	85
	Industrial Mktg	50	14	78
	Petroleum	23	3	87
	Transportation	26	8	76
(TECHNICAL)	Chemical Technol	48	12	80
(TRADES & IND)	Fabric Maint & Serv	82	24	77
	Graphic Arts Occ	1844	261	88
	Leatherworking	76	21	78
	Other	1811	366	83

75-90% FEMALE

		M	F	%F
(HEALTH)	Med Lab Assist	12	114	90%
	Other Med Lab Technol	5	32	86
(OFFICE)	Filing, Office Machines	1955	8672	82
	Info Communic Occ	153	652	81

LESS THAN 75% SINGLE SEX

		M	F	%F
(AGRIC)	Agric Prod	495	188	27%
	Ornamental Hortic	660	300	31
	Other	53	53	50
(DISTRIB)	Advertising Serv	9	13	59
	Apparel & Access	277	596	68
	Finance & Credit	189	269	59
	Food Distribution	70	28	29
	Food Services	343	464	57
	Gen Merchandise	1,342	1,582	54
	Home Furnishings	116	119	51
	Insurance	172	232	57
	Personal Services	169	250	60
	Real Estate	119	126	51
	Recreation & Tourism	89	111	37
	Other	25	22	47
(HEALTH)	Other	349	922	73
(OCCUP PREP)	Food Mgt, Prod, & Serv	276	613	69
(OFFICE)	Accting & Computing	6,563	10,794	62
	Busin, Data Processing Sys	1,917	2,348	55
	Mtls Supp, Trans, etc.	103	84	45
	Pers Training & Related	229	513	69
	Supv & Admin Mgt	1,664	623	27
	Other	336	570	63
(TRADES & IND)	Comml Art Occ	298	310	51
	Comml Photog Occ	125	100	44
	Indus Atomic Energy	43	17	28
	Qty Food Occ	998	808	45
	Upholstering	113	90	44
(SPEC PROG)	Group Guidance	726	576	44
	Prepostsecondary	4	5	56
	Remedial	280	197	41
	Other NEC	411	198	32

These patterns of segregation seem to be taken as one of the immutable facts of life in Massachusetts. Thus regional school expansions are justified to the community as enabling the schools to provide "exciting new career options for girls" [1]; a regional school superintendent-director publicly claims that his school -- which opened its doors in 1966 -- was built for boys only [2]; and Publication MOVE (Massachusetts Opportunities in Vocational Education) describes seventeen trade and industrial subjects as being "primarily for boys", four as being courses which "attract primarily girls" and then concludes by noting that "some courses such as Food Trades have both boys and girls."

The next point to be made is that the sex linked courses themselves are clustered in particular physical facilities within the Massachusetts school system. The male-linked courses are the ones which are offered in what we term "the separate system" -- the separately housed and frequently separately governed schools which focus on preparing high-school-aged youth for employment. We have attempted to identify these separate vocational schools in Table IV.2. [3]

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[1] Materials distributed in connection with the expansion of Blue Hills Regional Technical-Vocational School.

[2] Testimony of the Superintendent-Director of the Blackstone Valley Vocational Regional School in an MCAD Public Hearing, September, 1974.

[3] This task involved resolving discrepancies between the list of vocational schools compiled by the Division of Occupational Education and those which are listed in the Massachusetts School Directory and similar sources. When a vocational department which is actually a part of the comprehensive high school (according to the Department of Education and the school itself) is listed as a separate entity by the Division, we have added that department to our list in order to provide the clearest picture of how the Division views the system. In a few cases a girls' school was either missing entirely from the Division's list or merely pencilled in with no indication of the courses offered. In one or two cases, the courses within a school which have a large female enrollment did not appear in the course list opposite the school name.

TABLE IV.2.

SEPARATE VOCATIONAL SCHOOLS AND COURSES OFFERED, 1972-73

Voc. Ed.	Dept. of Ed.	CITY VOCATIONAL SCHOOL[1]	Estimated Female Enrollment	Estimated Total Enrollment	DISTRIBUTION	04.0800 Gen Merchandise	HEALTH	07.0101 Dental Assistant	07.0103 Dent Lab Tech	07.0302 Practical (Voc) Nurse	07.0904 Medical Assistant	07.0906 Health Aide	07.9900 Other	CONSUMER & HOMEMAKING	09.0103 Clothing & Textiles	09.0104 Consumer Education	OCCUPATIONAL PREPARATION	09.0201 Care & Guid of Child.	09.0202 Cloth. Mgt. Prod. & Serv.	OFFICE	14.0200 Bus. Data Processing Syst.	14.0300 Filing, Office Machines	14.0700 Steno&, Secy. & Related	TECHNICAL	16.0103 Architectual Technol	16.0107 Electrical Technol	16.0108 Electronics Technol	16.0113 Mechanical Technol	TRADES AND INDUSTRY
✓		Arlington Tech & Voc H.S.	26	303																✓									
✓	✓	Attleboro Voc Tech H.S.	40	231																									
✓	✓	Barnstable Voc H.S.	7	379																									
✓	✓	CH Patten Voc HS, Beverly	0	286																									
✓	✓	Boston Trade HS[2]	220	3,499																									
	✓	Trade High for Girls[2]																											
✓		Chicopee Voc HS	21	459																									
✓		Dartmouth Voc HS	0	55																									
✓	✓	Everett Voc HS	0	294																									
✓	✓	Fall River Girls Voc HS	167	167											✓			✓											
	✓	Framingham Voc	0	286																									
✓		Gloucester Voc	0	136																									
✓		Greenfield Voc HS	9	299																									
✓	✓	Haverhill Trade Sch	0	652																									
✓	✓	Holyoke Trade HS	84	465						✓	✓																		
✓	✓	Leominster Trade HS	55	628		✓				✓	✓																		
✓	✓	Lowell Trade HS	0	431												✓													
✓	✓	Lowell Girls Voc	199	200						✓	✓					✓													
✓	✓	Lynn Voc & Tech Instit	23	593																									
✓	✓	Marlboro Voc HS	1	321																									
✓	✓	Medford Voc Tech HS	29	472																									
✓		Newton Tech HS	1	473																									
✓		Northridge Voc HS	0	13																									
	✓	Henry O. Peabody School for Girls	153	193		✓					✓								✓				✓	✓					
✓	✓	Peabody Voc HS	44	421		✓																							
✓	✓	Pittsfield Voc	70	673							✓																		
✓	✓	Quincy Voc Tech HS	264	1,950				✓	✓	✓		✓	✓									✓				✓			
✓	✓	Salem Voc HS	1	144																									
✓	✓	Somerville Tech Trade	39	462																									
✓	✓	Putnam Voc-Tech HS, Springfield	585	1,819							✓	✓										✓							
✓	✓	Waltham Voc HS	71	475		✓					✓																		
✓	✓	Westfield Voc HS	0	387																									
✓	✓	Weymouth Voc Tech HS	35	408														✓								✓		✓	
		TOTAL:	2,144	17,582																									

[1] The list of "city vocational schools" was compiled from two sources: "List of Massachuset Schools, June 1973", put out by the Division of Occupational Education; and Massachusetts Directory, 1972-73. In some cases, a vocational school would be listed by the Division bu School Directory. This usually occurs when the Division refers to a vocational department high school as a separate entity, but the department reports to the Department of Educatio of the high school. The two columns to the left of the chart indicate the source of the s The courses offered were determined by comparison of the Division's list of schools and co above and the individual form 3138 reports for that year. Where there wa the school was contacted. The estimated enrollments were derived from the 3138's.

from two sources: "List of Massachusetts Vocational
upational Education; and Massachusetts School
hool would be listed by the Division but not by the
ision refers to a vocational department within a
t reports to the Department of Education as a part
the chart indicate the source of the school listing.
f the Division's list of schools and courses mentioned
year. Where there was a discrepancy,
s were derived from the 3138's.

[2] Boston Trade High School's courses are our own "best guess" but unconfirmed, and Trade High for Girls is blank because attempts to obtain information from the administrators of the schools were unsuccessful.

Regional Vocational-Technical HS	Estimated Female Enrollment	Estimated Total Enrollment	AGRICULTURE							DISTRIBUTION								HEALTH									CONSUMER & HOMEMAKING							OCCUPATIONAL PREPARATION	
			01.0100 Agric Prod	01.0200 Agric Sup/Serv	01.0300 Agric Mech	01.0500 Ornamental Hort	01.0600 Agric Resources	01.0700 Forestry		04.0200 Apparel & Acces	04.0500 Floristry	04.0700 Food Services	04.1000 Home Furnishings	04.0800 Gen Merchandise	04.1900 Transportation			07.0101 Dental Assistant	07.0103 Dent Lab Tech	07.0203 Med Lab Assisting	07.0299 Other Med Lab Technol	07.0302 Practical (Voc) Nurse	07.0303 Nurses Assist (Aide)	07.0402 Physical Therapy	07.0904 Medical Assistant	07.0906 Health Aide	07.9900 Other		09.0102 Child Development	09.0103 Clothing & Textiles	09.0104 Consumer Education	09.0106 Family Relations	09.0107 Food & Nutrition	09.0108 Home Management	09.0109 Housing & Home Furn	09.0199 Other	09.0201 Care & Guid of Children
Bay Path	44	737	✓																															
Blackstone Valley	3	990																																
Blue Hills	239	1,314																✓																
Bristol-Plymouth	128	663										✓										✓												
Diman Regional	613	2,173																✓				✓			✓						✓			
Lawrence Regional	461	2,448											✓	✓				✓				✓			✓	✓								
Charles McCann	162	675										✓		✓				✓	✓			✓			✓			✓						
Montachusett	451	1,477												✓	✓			✓								✓								
Nashoba Valley	325	1,529				✓								✓	✓			✓				✓			✓	✓			✓					
Northeast Metro	329	1,739													✓			✓		✓		✓			✓	✓								
Shawsheen	225	1,119																																
Southeastern	261	1,731																✓		✓		✓			✓									
South Shore	0	511																																
Upper Cape Cod	154	688																				✓												
TOTAL:	3,475	17,800																																
Regional Vocational School																																		
Apponequet	11	77																																
Dighton-Rehobuth	0	64																																
King Phillip	24	214																																
Monument Mt	3	99	✓		✓		✓	✓						✓																				
Silver Lake	48	316				✓	✓	✓																										
Tantasqua	1	156												✓																				
TOTAL:	87	926																																
Independent Trade School																																		
Lawrence Vocational	353	360																																
Lynn Industrial Shoe	21	99																																
New Bedfore Voc HS	222	1,212																																
Smith Voc & Agr HS	69	459																																
Worcester Trade Complex	1,423	3,843																																
TOTAL:	1,490	5,873																																

09.0107 Food & Nutrition
09.0108 Home Management
09.0109 Housing & Home Furn
09.0199 Other

OCCUPATIONAL PREPARATION

09.0201 Care & Guid of Children
09.0202 Clothing Mgt. Prod. & Serv
09.0203 Inst & Home Mgt & Sup. Ser

OFFICE

14.0100 Accounting & Computing
14.0200 Bus, Data Proc. Syst.
14.0300 Filing, Office Machines
14.0400 Info Communic Occup
14.0700 Stenog, Secy and Related
14.0900 Typing & Related Occup

TECHNICAL

15.0105 Chemical Technol
15.0106 Civil Technology
15.0108 Electronics Technol
15.0109 Electro-Mech. Technol
15.0111 Industrial Technol
15.0113 Mechanical Technol
15.0117 Sci Data Technol
15.9900 Other

TRADES & INDUSTRY

17.0100 Air Conditioning
17.0200 Appliance Repair
17.0301 Body & Fender
17.0302 Mechanics, Auto
17.0399 Other Automotive
17.0500 Blueprint Reading
17.0700 Cml Art Occup
17.0900 Cml Photog Occup
17.1001 Carpentry
17.1002 Electricity
17.1004 Masonry
17.1007 Plumb & Pipefitting
17.1099 Other Constr & Maint
17.1300 Drafting Occup
17.1400 Elec Occup
17.1500 Electronic Occup
17.1600 Fabric Maint Serv
17.1900 Graphic Arts Occup
17.2000 Ind Atomic Energy
17.2100 Instr Maint & Repair
17.2300 Metal Working Occup
17.2400 Metall Occup
17.2602 Cosmetology
17.2700 Plastics Occup
17.2900 Qty Food Occup
17.3100 Small Eng Repair
17.3200 Stat. Energy Sources Occ
17.3300 Textile Prod & Fab
17.3400 Leather Working
17.3500 Upholstering
17.3600 Woodworking Occup
17.9900 Other

Displayed in this table are the programs offered by the vocational schools of the separate system. It is clear that females have a very small place in that system. With the exception of those schools specifically designated for girls, almost every school offers male-linked courses (see Table IV.1.) at a ratio of at least two to one over female-linked courses. More often than not, the ratio is even greater. We find if we total the enrollments in the separate system schools that females represent only 18% of the students at all levels (see Table IV.3). Of that total number of females, over 500 are enrolled in those schools which are specifically for girls. If they are excluded from the total, female participation is reduced to 17%.

While 18% representation of females is still far from the desired equal sharing in the benefits of the separate system, it is undoubtedly an improvement over past years. In conversations with some of the schools, it was not uncommon to hear "... and now for the girls' courses", or "... oh yes, but then we added two new courses for girls." Even within the separate system is a separate system. While there is undoubtedly increased awareness of the unequal treatment of females, the solution perceived by vocational educators is to add "something for the girls" rather than sharing what is already available. Perhaps this trend is not surprising given the history of vocational education in the Commonwealth. What is surprising is the evidence that the pattern of separate systems for males and females is very much still accepted, whether consciously or unconsciously, by parents, school committees and administrators.

TABLE IV 3

FEMALE PARTICIPATION IN SEPARATE SYSTEM SCHOOLS 1972-73 [1]

TYPE SCHOOL	TOTAL #	#F	F AS % OF TOTAL
City Vocational High Schools	17,583	2,144	12.2%
Regional Vocational High Schools	926	87	9.4%
Independent Trade Schools	5,873	1,990	33.9%
Regional Vocational Technical High Schools	17,800	3,475	19.5%
TOTAL	42,181	7,696	18.3%

[1]This table was derived from enrollments reported on individual forms 3138 in courses which we determined to be offered by the particular school. Our figures are not exact but represent the true situation with what we feel to be reasonable accuracy.

B. IMPLICATIONS OF SEPARATION

The separate system offers special advantages to students, in terms both of what goes into the system and what its products are. Females, by virtue of the fact that they are under-represented in the separate system, are excluded from receiving a fair share of the advantages.

One of the most striking differences in the two systems is the money that filters through each. The most readily available data on this is in two forms: that of per pupil expenditures for occupational day students and the reimbursement under Chapter 74, Section 9 of the General Laws of Massachusetts. Since this information is in a format similar to that used in the federal reporting of enrollments, i.e., by locality rather than by school in most instances, we used our method of identifying "vocational localities" explained in Appendix A. For Tables IV.4. and IV.5. the separate system has been identified in terms of localities and regions with a separate vocational school, independent trade schools and regional vocational technical high schools.

In terms of money spent it is clear from Table IV 4. that the separate system spends over twice the amount per pupil as do other municipalities/regions.[1] This includes expenses for administration, instruction, other school services, operation and maintenance of plant, and fixed charges.[2] This could mean that the separate system enjoys the benefits of better facilities, more supplies, and higher paid administrators and teachers.

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[1] Again, it is not clear exactly which students are reported as vocational students. These figures come out of the Bureau of School Management Services of the Department of Education, and are derived from the End-of-Year Pupil Financial Report.

[2] Explanation of computation of Per Pupil Expenditures in Massachusetts Department of Education Publication No. 7082 - Per Pupil Expenditures 1972-73.

TABLE IV.4.

AVERAGE PER PUPIL EXPENDITURES FOR OCCUPATIONAL DAY STUDENTS BY SYSTEM 1972-73

REPORTING UNIT	# SUCH REPORTING UNITS	AVERAGE PER PUPIL EXPENDITURE
Separate School Localities[2]	30	$1,733.04
Separate School Regions[2]	6	1,444.09
Independent Trade Schools	4	1,770.83
Regional Vocational Technical High Schools	14	2,020.53
TOTAL SEPARATE VOCATIONAL SYSTEM	54	$1,778.27
ther Comprehensive Localities[2]	31	$ 840.73
Other Comprehensive Regions[2]	12	752.45
TOTAL COMPREHENSIVE SYSTEM	43	$ 816.10

[1]This table was derived from data presented in Massachusetts Department of Education Publication No. 7082-per pupil expenditures 1972-73

[2]See Appendix A for explanation of this grouping of the localities/regions.

TABLE IV.5.

1972-73 REIMBURSEMENT UNDER CHAPTER 74 SEC 9 BY SYSTEM [1]

REPORTING UNIT	# SUCH REPORTING UNITS	TOTAL REIMBURSEMENT FOR ALL UNITS	AVG. REIMBURSEMENT PER UNIT
Separate School Localities [2]	31	$10,754,253	$346,911
Separate School Regions [2]	6	453,966	75,661
Independent Trade Schools	5	2,144,768	428,953
Regional Vocational Technical High Schools	14	9,729,713	694,980
(New Ruths) [3]		621,273	
TOTAL SEPARATE VOCATIONAL SYSTEM		$23.703,973 = 92% of total Chap.74 See Sec.9 Aid	
Other Comprehensive Localities [2]	107	$1 541,468	$ 14,406
Other Comprehensive Regions [2]	21	388,957	18,522
TOTAL COMPREHENSIVE SYSTEM		$1,930,425 = 7% of total Chap. 74 Sec.9 Aid	

[1] This table was derived from data in "Vocational Aid to Education Chapter 74 Section 9 for the Fiscal Year Ending June 30, 1973", a computer run obtained from the Division of Occupational Education.

[2] See Appendix A for explanation of this grouping of localities/regions.

[3] Relatively small amounts of aid went to 9 Regional Vocational-Technical High Schools which were in the process of starting up.

In terms of money coming into the systems, Table IV.5. offers a more vivid contrast. A full 92% of the total aid under Chapter 74, Section 9 goes to the separate system, although the separate system embodies fewer than half the number of reporting units in the form of municipalities/regions and serves only a little over half (56%) of the total number of students in both systems.[1] It is important to keep in mind the fact that courses offered in Office Occupations subjects, which generally are not reimbursable are found infrequently in the separate system and are instead concentrated in the comprehensive high school settings, while Trades and Industry programs, which are almost always reimbursed, are concentrated in the separate system. Nevertheless, this should not account entirely for the overwhelming proportion of funds going to the separate system.

Although money is perhaps the most obvious advantage to the separate system, there are other identifiable differences. One is the pupil/teacher ratio. Presumably, the lower the ratio the more individual attention and therefore better instruction for the pupil. In Table IV. 6. we see that in this respect also the separate system comes out ahead. It is interesting to note that those courses which are predominantly female and are most likely to be found in the comprehensive high school - Office Practices, Occupational Preparation and Consumer and Homemaking programs - have much higher pupil/teacher ratios. Despite the fact that our definition of separate system includes some comprehensive high schools, the average pupil/teacher ratio for that system is significantly lower.

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[1] See Appendix A for enrollments in the separate systems as we have defined it.

TABLE IV.6.

1972-73 PUPIL/TEACHER RATIOS AT THE SECONDARY LEVEL BY SYST
PROGRAM AREA [1]

	SEPARATE VOCATIONAL SYSTEM			COMPR
Program Area	Total 2ndary Enrollment	# Full time 2ndary teachers [2]	Pupils per teacher	Total 2ndary Enrollment
Agriculture	260	11	24	201
Distribution	2,847	70	41	2,396
Health	973	40	24	397
Consumer & Homemaking	4,405	114	39	9,092
Occupational Preparation	1,231	26	47	3,975
Office	30,672	548	56	46,624
Technical	526	29	18	78
Trades & Industry	22,931	1,461	16	6,540
TOTAL	63,845	2,299	28	69,303

[1]This table was derived from data in Massachusetts Annual Report of Occupational Education, Teachers, status of Teacher Training, and Local Administrative Staff in Vocational Educatio

TABLE IV.6.

TEACHER RATIOS AT THE SECONDARY LEVEL BY SYSTEM AND PROGRAM AREA [1]

AL SYSTEM			COMPREHENSIVE SYSTEM		
time teachers[2]	Pupils per teacher	Total 2ndary Enrollment	#Full time 2ndary teachers	Pupils per teacher
11	24	201	7	29
70	41	2,396	59	41
40	24	397	20	20
14	39	9,092	160	57
26	47	3,975	75	53
48	56	46,624	934	50
29	18	78	6	13
61	16	6,540	158	41
99	28	69,303	1,419	49

ts Annual Report of Occupational Education, Fiscal Year 1973, Number of Administrative Staff in Vocational Education, of Form 3136.

The output or product of the separate system allows for as striking comparisons with the comprehensive system as does the input. Vocational Education has as its primary purpose the preparation of individuals for gainful employment. To measure the success of that system, therefore, it is necessary to examine first whether or not the trained individuals are employed, and second, just how "gainful" that employment is.

Follow-up information on students is difficult to come by. Many schools do not devote a great deal of time to this. The Division does collect such data from the schools for the federal report, but only by broad program area and not by sex. As can be seen from Table IV.7., Office Occupations and Homemaking Occupational Preparation, the two program areas which tend to be found infrequently in the separate system but dominate the comprehensive system, have the highest unemployment rate as well as the lowest rate of employment in the field of training or related fields. (Consumer and Homemaking is not included in this data since it is instruction not related to gainful employment.) These figures are, of course, quite general and give only an overall picture, but are of interest nevertheless.

More useful, however, is an examination of specific programs and the potential jobs attached to those programs. It might appear difficult to talk about the specific skills an individual has acquired upon completion of a vocational program since a program may vary in content somewhat from school to school, but the expectation of the Division of Occupational Education is that every approved program will provide a student who completes it with certain minimum skills in the field studied. These minimum skills are enumerated in a reference book entitled Vocational Education and Occupations, a cooperative effort of the U.S. Department of Health, Education and Welfare and the Department of Labor to establish a common occupational

TABLE IV.7

FOLLOW-UP DATA ON 1972-73 COMPLETIONS [1]

Program Area	Total # Completions	Total # Available for Placement	Unemployed		Employed Full-Time in Field Trained or Related Field		Other Employment [2]	
			N	%	N	%	N	%
Agriculture	421	272	3	1.1	256	94.1	13	4.8
Distribution	1,987	1,453	95	6.5	938	64.6	420	28.9
Health	2,539	2,032	173	8.5	1,516	74.6	343	16.9
Occupational Prep.	1,755	986	310	31.4	562	57.0	114	11.6
Office	18,914	11,335	1,346	11.9	6,545	57.8	3.443	30.4
Technical	930	520	51	9.8	398	76.5	71	13.7
Trades & Industry	8,313	6,700	474	7.1	4,946	73.8	1,280	19.1

[1]This table is derived from data in "Placement of Program Completions in Vocational Education Programs" of Form 3139 for Fiscal Year 1973 filed by the Division of Occupational Education 12/31/73. The numbers used represent a total of secondary, post secondary and adult levels.

language. The book is a guide for matching Department of Education classifications of vocational programs with the Dictionary of Occupational Titles classifications and codes of jobs related to those programs. For the Division of Occupational Education within the Commonwealth, however, this book is more than a cross-referencing tool; the Division claims that a student completing the listed vocational program will have acquired entry level skills for those jobs which have been matched with that particular program.

Use of the HEW/DOL book to survey what job preparation is provided by sex-linked programs (see Table IV.1) indicates that the jobs for which the male-linked programs are training individuals are those which one would expect to command overall higher salaries than those related to the female-linked programs. To show this we have looked at the four male-linked programs with the highest enrollment of males and a similar sample of female-linked programs. The list of representative programs is displayed in Table IV. 8. (Interestingly, the enrollments in these courses represent roughly similar proportions of the total male and female enrollments - 25% of the males, 28% of the females.) Again we have the pattern of males in Trades and Industry and females in office and homemaking related courses.

This familiar pattern of programs, however, tells little in and of itself; the specifics of the jobs related to the programs and the wages related to those jobs make clear the real implications of the pattern. Tables IV.9. and IV. 10. contain wage information for jobs representative [1] of the program areas in Table IV.8. The differences between the two tables are rather striking. The wages attached to jobs in Table IV.9. are significantly higher

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[1] There is difficulty in locating available data on wages for jobs matched with two of the programs in the female list: Clothing Management, Production and Services and Care and Guidance of Children. The figure for these areas, therefore, are probably not as representative as those for the rest.

TABLE IV,8.

SEX-LINKED PROGRAMS WITH HIGHEST RESPECTIVE ENROLLMENTS
1972-73

MALE-LINKED		FEMALE-LINKED [1]	
Program	N Males	Program	N Females
Metal Working	5,841	Steno, Secy and Related	15,852
Auto Mechanics	4,746	Filing, Office Machines	8,672
Electricity	4,148	Clothing Management, Production and Services	2 755
Carpentry	4,111	Care and Guidance of Children	1,761
TOTAL	19,346 = 25% of all males [2]	TOTAL	29,040 = 28% of all females

[1] In compiling the female-linked list, we eliminated 4 programs which by virtue of sheer numbers would have been included: Typing & Related Occupations (26,665) which we felt to be inflated by students seeking to acquire a universally applicable skill rather than pursuing typing as a career in and of itself; and Clothing & Textiles (4184), Food & Nutrition (3926), and Home Management (1892), all of which are Consumer & Homemaking programs and not related to gainful employment. Fully 17% of all female vocational students are enrolled in Consumer & Homemaking Programs. The typing program would also have qualified on the male-linked list (7183).

[2] The total used for calculating these percentages is that of the total enrollment of all students, secondary and postsecondary, in all vocational programs, both gainful and nongainful.

TABLE IV.9 JOB AND HOURLY WAGE DATA[1]
FOR REPRESENTATIVE MALE-LINKED PROGRAMS

Metal Working Occupations	
Machine tool operators	$4.93 [2]
Machinists, maintenance	5.02 [2]
Sheet metal workers, maintenance	5.10 [2]
Tool and die makers	5.45 [2]
Machinists, union	7.50 [3]
Sheet metal workers, union	8.73 [3]
Structural iron workers, union	8.29 [3]
Primary metal industries	4.95 [4]
Fabricated metal products	4.21 [4]
Auto Mechanics	
Mechanics, automotive (maintenance)	5.47 [2]
Mechanics, automobile	5.00 [5]
Mechanics, automobile (master)	7.00 [5]
Electricity	
Electricians, maintenance	5.21 [2]
Electricians (inside wiremen), union	9.10 [3]
Carpentry	
Carpenters, maintenance	5.22 [2]
Carpenters, union	8.35 [2]

[1]Wages are for 1973 where possible to retain comparability with other data in this section.

[2]Hourly earnings of maintenance and powerplant workers in Boston, Massachusetts August 1973, mean hourly earnings, Boston Area Wage Survey, U.S. Department of Labor.

[3]Rate per hour July 1, 1973, Union wage rates, hours and employer contributions to selected funds in the building trades, July 1, 1972 and July 1, 1973, Boston, Massachusetts, U.S. Dept. of Labor, Bureau of Labor Statistics.

[4]Gross hours and earnings of production or nonsupervisory workers on private nonagricultural payrolls, by industry, May 1973, Employment and Earnings, Vol. 20 No. 12, June 1974, U.S. Dept. of Labor, Bureau of Labor Statistics

[5]Average hourly wage for regular mechanic ($5) and master mechanic ($7) in Boston area in 1974. These figures from phone conversation with owner of area automobile servicing company.

TABLE IV.10 JOB AND HOURLY WAGE DATA[1]
FOR REPRESENTATIVE FEMALE-LINKED PROGRAMS

Stenographic, Secretarial and Related Occupations		
Secretaries (all)	$4.05	2
Secretaries, Class A	4.88	2
Secretaries, Class D	3.75	2
Stenographers, general	3.42	2
Stenographers, senior	3.83	2
Filing, Office Machines, Clerical Occupations		
Billers, machine (billing machine)	2.76	2
Billers, machine (bookkeeping machine)	3.37	2
Clerks, accounting, Class A	3.93	2
Clerks, accounting, Class B	3.21	2
Clerks, file, Class A	3.13	2
Clerks, file, Class C	2.64	2
Clerks, order	3.46	2
Clerks, payroll	3.40	2
Tabulating machine operator, Class B	3.61	2
Transcribing machine operator, general	3.22	2
Clothing Management, Production and Services		
Inspectors, final (examiners)	2.77	3
Sewing machine operators, coat fabric	3.22	3
Sewing machine operators, trouser fabric	3.51	3
Care and Guidance of Children		
Day care assistant	2.88	4
	3.85	4

[1]Wages are for 1973 where possible to retain comparability with other data in this section.

[2]Weekly earnings of office workers in Boston, Massachusetts, August 1973, Boston Area Wage Survey, Department of Labor. Hourly figures arrived at by dividing mean weekly earnings by average weekly hours.

[3]Number and average straight-time hourly earnings of production workers in men's and boys' suit and coat manufacturing, Selected characteristics and regions, April 1973, women in coat fabrication in New England; Monthly Labor Review, May 1974, U.S. Dept. of Labor, Bureau of Labor Statistics.

[4]These figures represent the highest and lowest wages quoted by two area day care facilities in phone conversations with them. They did not wish to be identified. It should be noted, however, that these two facilities are among the largest in the metropolitan area, are highly organized and often have more than one facility. These wage figures, therefore, are probably higher than those for smaller less organized facilities.

overall than those in Table IV.10. The highest wage in Table IV.10., $4.88 per hour for a Class A secretary, is only slightly more than half the rate of the union electrician ($9.10), the highest in Table IV.9.

In fact, the Class A secretary has the exceptionally high wage in Table IV.10. and still makes less per hour than any worker listed in Table IV.9., with the exception of the overall wage of $4.21/hour for fabricated metal product workers. There is, however, no wage in Table IV.9. that comes anywhere near the low of $2.64 per hour for Class C file clerks in Table IV.10.

These tables really represent only a small piece of what we feel to be the larger picture: that the male-linked programs which are primarily found in the separate vocational system are preparing individuals for jobs which will eventually provide them with earning power greater than that which can be expected from the occupations related to the female-linked programs being offered in the comprehensive system.

Females clearly have not enjoyed equitable participation in the separate system, and to the extent that the separate system offers special benefits and advantages, females have been denied the opportunity for a fair share. The inevitable conclusion is that change is needed.

CHAPTER V: LEGAL OPTIONS FOR CHANGE

When we set out to enlarge vocational options for women and chose to attempt to do so by means of Chapter 622, we didn't know the history of the public vocational educational system, and we were unaware of the empirical evidence of its impact upon the educational and economic lives of girls and women. Our intuition of the issue, however, was not dramatically different from what emerges from the preceding detailed examination; it simply was far from complete.

What we proposed was therefore simple and straightforward. It was an expansion of a kind of protection already provided to some Massachusetts students against some forms of discrimination. It involved no appropriation of monies. Some of the reasons for choosing this form are readily apparent from this brief enumeration of its characteristics. Others, however, can be appreciated only after an examination of the alternatives which might have been considered.

A. THE OPTIONS

Existing statutory law pertaining to public schools in Massachusetts takes one of three forms, each of which is intended to impress state wide policy on local school systems. The first of these is the incentive law. A simple example of this is the legislation authorizing a local community to provide recreation programs for children with special needs, with one half of the costs to be reimbursed by the state following approval of the program offered. [1] The second method is the direct mandate law, as illustrated by Chapter 130 of the Acts of 1966, a relatively recent enactment of this type:

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[1] Mass. General Laws, ch. 71B, 11 (Supp. 1974).

> At the commencement of the first class each day in all grades in all public schools the teacher in charge of the room in which each such class is held shall announce that a period of silence not to exceed one minute in duration shall be observed for meditation, and during any such period silence shall be maintained and no activities engaged in.

The third method is the enforceable obligation law. This can take the form of either a law to be enforced by an agency of state government or a law to be enforced by an individual directly affected by a failure to discharge the obligation. An illustration of an agency-enforceable obligation law is found in section 28J of Chapter 148 of the General Laws, which gives the head of a local fire department power to require and regulate fire drills in public schools within his jurisdiction. The second sentence of Section 68 of Chapter 71 of the General Laws provides an illustration of a variation of an enforceable obligation law in which an individual plays a part in the process:

> If the distance between a child's residence and the school he is entitled to attend exceeds two miles and the nearest school bus stop is more than one mile from such residence and the school committee declines to furnish transportation, the department, upon appeal of the parent or guardian of the child, may require the town to furnish the same for a part or all of the distance between such residence and the school.

A law which appears to create individual rights which may be directly asserted in a legal action by the persons affected is Section 13 of Chapter 71:

> In every public high school having not less than one hundred and fifty pupils and offering a commercial course of study, commercial Spanish shall be taught upon the written request of the parents or guardians of not less than twenty pupils and the enrollment of not less than twenty properly qualified pupils, provided said request is made, and said enrollment is completed, before the preceding August first.

The only educational law in the Massachusetts statutes which explicitly confers an individual right of action is Section 16 of Chapter 76 (which applies to the rights created in Chapter 622):

> The parent, guardian or custodian of a child refused admission to or excluded from the public schools or from the advantages, privileges and courses of study of such public schools shall on application be furnished by the school committee with a written statement of the reasons therefor, and thereafter, if the refusal to admit or exclusion was unlawful, such child may recover from the town in tort, and may examine any member of the committee or any other officer of the town, upon interrogatories.

B. ASSESSMENT OF THE OPTIONS

Of the three major types, the incentive law form is the most recently developed and is probably the most popular, for obvious reasons. In theory it should be the least effective means of obtaining state-wide conformity on an educational policy or program. Adherence is voluntary. In fact, of course, the availability of funds is likely to activate special interest groups--parents who are seeking this particular educational option for their children and teachers who are trained in a relevant field or who wish to avail themselves of the opportunity to become trained. Members of these groups appraise the situtation in terms which blur the distinction between their actual status as potential beneficiaries of a discretionary program and their desired status as persons entitled to the receipt of these perceived benefits. This blurred vision is shared, to some extent, by the persons charged with making the decision as to participation under the incentive law, and the net result is that the decision to participate may be premised on a vague belief that the legislative target group is entitled to that. In many instances that may, in fact, be true. This depends upon the extent to which the object of the incentive law is to improve the quality of an educational activity which the local system is obligated to undertake in any event. To date this appears to have been the typical thrust of the incentive laws which Massachusetts has enacted.

Many of them are interstitial laws, sometimes intended to respond to unusual circumstances which can be expected to add to the financial burden of the local community, other times intended to counteract the probability that the local community will not voluntarily choose to incur the cost of providing an adequate education to children with particular handicaps. Usually their focus is remedial or compensatory.

It is consistent with this view of the rightful use of the incentive technique to expect that any proposal for incentive legislation will be accompanied by a documentation of the problem to be solved. Unfortunately, this turns out to be an effective way of limiting the access of outsiders to this legislative tool. As a general proposition only insiders have any real chance of collecting the data needed to confirm the existence of a problem and to define its scope, although outsiders with independent resources may have some success. A second customary element of the legislative proposal is some evidence of the likelihood that the program proposed will in fact solve the identified problem. This is another limiting factor. The generation of such evidence is dependent upon the cooperation of professional educators; without that none of the necessary empirical data is easily available, and the needed professional opinion on the value and probability of success of the program is lacking.

This combination of requirements, taken with the unavoidable need for an appropriation in order to fund any incentive law, makes this legislative option a difficult one for outsiders to use. If they wish to add on to the school program--to broaden the scope of the services rendered or to enlarge the recipient class--the outside proposers have little actual choice in this regard. But if their objective is to redirect existing resources, other options are available which appear to offer more opportunities and fewer pitfalls .

At first glance the direct mandate law is the most attractive of these. If there is to be a statewide policy on a particular aspect of public education, this strikes one as being the obvious way in which to express it. One of the difficulties with the approach reveals itself when considering the question of how to phrase the desired mandate. Not all educational policies are easily expressed in a sentence. Those which are so easily expressed are also likely to be widely practiced as already understood and accepted policies. For example, the courses which constitute what the state considers to be a basic curriculum are mandated by state law.[1] These are the subjects which are always studied in schools; their inclusion is generally agreed upon by all groups having a stake in public education. Thus, the state law needs no interpretation and no implementation. It codifies what is customarily done in any event. The corollary to this circumstance is that there is no need to enforce this kind of direct mandate law since everyone is doing it anyway.

As long as a direct mandate law does not break new ground, there is little need to be concerned with the possibility of noncompliance. The makers of local education policy share the goals articulated in the legislation, and a failure to comply with the directive is not likely to be a deliberate one. In the event of a wilful deviation from state policy there are only two statutory remedies provided:

> The board [of education] may withhold state and federal funds from school committees which fail to comply with the provisions of law relative to the operation of the public schools or any regulation of said board authorized in this section....
>
> The board shall see to it that all school committees comply with all laws relating to the operation of the public schools and in the event of noncompliance the commissioner of education shall refer all such cases to the attorney general of the Commonwealth for appropriate action to obtain compliance.[2]

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[1] Mass. Gen. Laws, ch. 71, § 1 (Supp. 1974)

[2] Mass. Gen. Laws, ch. 15, § 1G (1973)

The first of these unquestionably is an extreme sanction. The second tactic appears far more suited to achieve the desired end. The Attorney General would bring an action in equity against the erring school committee, prohibiting the committee from continuing its course of noncompliance. Once an injunction is issued, noncompliance would become contempt of court on the part of the individuals involved, subjecting them to the risk of fine or imprisonment. These methods of enforcement have not been frequently used in Massachusetts. Experience with them is being acquired now as the state seeks to require cities to comply with the state's racial imbalance law. [1]

The vesting of these enforcement powers in the State Board of Education raises two further questions: (1) can an individual citizen supplement the Board's efforts through any form of private action; and (2) can an individual citizen, through a court action force the Board to act to enforce compliance with a direct mandate law? There is a final question as to whether the Attorney General is entitled to determine in his or her discretion whether to act on a referral from the Board of Education. None of these issues has been considered by the Massachusetts courts. [2] There are, however, sufficient parallels in other areas of the law to warrant drawing conclusions about the outcome here. It is unlikely that the existence of the Board powers would confer any additional significance upon an individual's complaint to the Attorney General of noncompliance with a direct mandate educational law.

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[1] See School Committee of Springfield v. Board of Education, 319 N.E. 2d 427 (Mass. 1974), for a recounting of these efforts.

[2] A very similar issue was considered, however, in Secretary of Administration and Finance v. Attorney General, 326 N.E. 2d 334 (Mass. 1975). See note 1, p. 128 infra.

To begin with, there is clearly no method by which an individual can cause state and federal monies to be withheld from a local school system. Thus an individual's opportunity to supplement the activities of the state Board of Education, if it exists at all, must be limited to the act of referring an instance of noncompliance to the Attorney General. It would seem to go without saying that this could be done -- that an individual upon learning of the failure of a school system to observe a state statutory directive, could communicate this information to the state Attorney General and request corrective steps. The real issue becomes that of whether the Attorney General has any choice in the matter when the referral comes from the state Board of Education, and if not, or if the scope of his or her discretion is limited whether this might be held to be equally true when the referral source is a private citizen.

What is the Attorney General's range of discretion when the state Board of Education requests that appropriate steps be taken to secure compliance? In this context, he or she would seem to be functioning as the lawyer for the Board and might thus seem to be obligated to pursue the indicated course of action unless it is determined that there are legal reasons (as opposed to policy reasons) not to go further. However, this conclusion is cast into serious doubt by the recent Massachusetts Supreme Judicial Court decision holding that the Attorney General of the Commonwealth "has control over litigation involving the Commonwealth, and this includes the power to make a policy determination not to prosecute..." [1] The Court notes that the decision not to act must not be made "in a capricious, arbitrary or illegal manner" [2] and it suggests that the test to be used by the Attorney General is whether the contemplated legal action will "further the interests of the Commonwealth and the public he represents." [3] The application of this rule in the

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[1] Secretary of Administration and Finance v. Attorney General, 326 N.E. 2d 334, 336-37 (Mass. 1975).

[2] Id. at 337.

[3] Id. at 339.

context of Board of Education determinations could present difficult problems, far beyond the scope of this inquiry. It seems sufficient here to note that the responsibilities of the Attorney General to the Board of Education are far from clear.

Even if it were to be concluded that the Attorney General would in all probability be under a duty to respond to the request of the state Board of Education, this conclusion does not lead inevitably to the further conclusion that he or she will owe a similar duty to an individual citizen who makes the same request. It is more likely that the Attorney General does not The question of whether a particular statute creates an implied right of action in an individual has been considered in a number of recent federal cases.[1] One general conclusion that can be drawn from these is that the individual claiming to be aggrieved must make a threshhold showing that benefit to him is one of the objectives of the statute upon which he is relying. It is quite conceivable that this burden could be met by a parent or legal guardian of a child attending school in a non-complying system. The interest of this particular plaintiff might be found to be distinguishable from that of the general public. The second lesson of this line of cases is that this plaintiff must be unable to trigger the enforcement mechanism provided by the statute. This raises the question of whether the Board of Education is equipped for the receipt and investigation of individual reports of noncompliance. Nothing in the relevant statutory language suggests this is the case, and there appear to be no administrative regulations, guidelines or policy statements on the subject There may nevertheless be an informal procedure for accepting and dealing with this sort of information, but clearly there is nothing which is regularized.

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[1] See, e.g., Flast v. Cohen, 392 U.S. 83 (1968); Adams v. Richardson, 480 F. 2d 1159 (D.C. Cir. 1973); Euresti v. Stenner 458 F. 2d 1115 (10th Cir. 1972); Gomez v. Florida State Employment Service, 417 F. 2d 569 (5th Cir. 1969); Legal Aid Society of Alameda County v. Brennan, 381 F. Supp. 125 (N.D. Calif. 1974).

These two circumstances could support a finding of legislative intention to permit private compliance actions as well as Board-initiated ones, were it not for the two-pronged choice given to the Board under the pertinent statute. When the Board uncovers non-compliance, it can either refer the matter to the Attorney General or it can withhold funds. As has been pointed out it is not possible for anyone other than the Board to impose the sanction of fund withholding. This fact tends to rebut the inference of a legislative intent to deputize individuals to function as private Attorneys General in enforcing direct mandate educational laws. The initiation of an action by such a private individual might interfere with the Board's free exercise of its option as to which sanction to pursue. In addition, of course, the citizen action would deprive the Board of the option of nonaction, and it could be argued that the legislature intended it to have this choice as well.

Whether this choice was intended or not is relevant to the further question of whether an individual can require the Board of Education, on a showing of noncompliance, to either cut off funds or refer the matter to the Attorney General for appropriate action. If the individual is not empowered to bring an action himself or herself, his or her right to require an agency to act is doubtful. The logic here is that the legislative intent in making the governmental agency the exclusive enforcement agency was to provide for the play of administrative discretion. The argument is weakened slightly at this point by the possibility that the intended grant of discretion was only as to which remedy to pursue rather than as to whether a remedy should be pursued at all. Nevertheless it seems probable, on balance, that a Massachusutts court faced with the question of an individual effort to obtain an order directing the Board of Education to act would rule that the decision not to act was within the discretion of the Board and would not be disturbed.

The position, then, is that a direct mandate law is enforceable by the state Board of Education and its enforcement power in all likelihood is an exclusive one. It can act on its own initiative to withhold funds in the event of noncompliance. Alternatively, it can request the Attorney General to initiate legal action to require compliance. The extent to which the Attorney General may exercise independent political judgment as to whether to comply with the request is unknown but it seems probable that his or her discretion in this regard is limited.

The inaccessibility of the enforcement measures should make a pure direct mandate law an unattractive option for outsiders. There is no assurance that the law will be implemented -- or even that its existence will be communicated -- and no leverage which the outsider can use to bring about the changes in practice which were intended to result from the legislation. Thus the eye of the outsider is inexorably directed toward the third option: an enforceable obligation law.

The complexities of the outsider's decision-making process should be noted at this point. The outsider comes to the conclusion that achievement of his or her primary objective is most likely if the legislation is designed to be an enforceable obligation law. However, taking this line may require the relinquishment of subsidiary or incidental objectives. One of these is likely to be the provision of state supplied monies to lessen the pain which change always seems to produce in local school systems, and to make it more likely that the desired change will be introduced early and voluntarily. The premise that state help should be provided to effect the change-over is not totally congruent with the proposition that this is the sort of redirection of a local school system which (1) is appropriately mandated by a statewide policy, and (2) is properly enforceable by the individual actions of affected citizens. The

philosophy which furnishes the basis for advocating an enforceable obligation law, replete with references to basic human rights and the simple articulation of already-existing obligations, does not mesh well with the contention that money is a necessary component of the legislation because of the burden which would otherwise fall on the local school systems. In short, the outside advocate must make an election involving considerations of how effective an unfunded enforceable obligation law is likely to be, the chances of pulling together the kind of support needed to pass an incentive law, and the opportunities for achieving something in between, either by use of a variant of the enforceable obligation format or by developing a sequential plan for achieving the desired objective.

The variant option which comes to mind here is the choice to locate enforcement power in a noneducational agency of state government rather than in an individual. In Massachusetts, as is likely to be the case elsewhere, this option exists only if the goal of the contemplated legislation is to eliminate some form of discrimination perceived to exist in an educational setting. If this is the objective, the state antidiscrimination agency is a possible enforcement vehicle. Problems of commitment and adequate resources are present. The tradeoff which occurs when government constitutes itself a representative of an individual's rights, usually with control over the extent of the effort which will be made to vindicate those rights, will need to be weighed in the equation. It is, however, a method which makes it possible for an individual to initiate a process which may lead to change in educational practices at no cost to that individual, and as such clearly it must be given serious consideration.

Apart from this possibility, the choice is between introducing an enforceable obligation law into the statutes, leaving indiviudals free to avail themselves of it or not, as they may choose, or doing

this and then proceeding to call upon the state Board of Education to enforce the legislation as if it were a direct mandate law. This interpretation of the Board's responsibilities is fully supported by the broad language which describes them.[1] The power of outsiders to require the Board to discharge its duties is limited, as has been previously noted, but efforts in this direction may raise the level of general public awareness and concern and produce political incentives for Board action. Thus it would appear that apart from the difficulties of implementing an unfunded directive for educational change, the enforceable obligation mode has a distinct advantage over the others for use by persons who are outside the system: it enables them to produce change themselves, by individual action, and it gives them a lever to use in activating the persons in control within the system.

Chapter 622 of the Acts of 1971 is a law phrased in terms of enforceable obligations. As such, it illustrates the effects which this form of legislation may produce.

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[1] Mass. Gen. Laws c. 15, §61G (1973).

CHAPTER VI: CHANGE THUS FAR

The major promise of Chapter 622 has always lain in the possibility that it would act as a catalyst for change, and eventually cause the schools themselves to begin the process of self assessment and redirection which will lead to the expansion of educational opportunities for all students. This kind of activity is beginning to occur. One irony, for us, is that much of the energy and interest which has focussed on Chapter 622 has been concerned with its impact upon general school programs. Vocational education, the law's raison d'etre, has received the least attention. The most probable explanation is the support Chapter 622 has attracted: the law has been championed chiefly by white, middle-class residents of the suburbs whose politics are liberal and whose ambitions for their children include professional education rather than vocational education. As a result, with the notable exception of the state's antidiscrimination agency, operating under a related piece of legislation, most of the activity in Massachusetts to date in response to Chapter 622 has not been directed at affecting vocational education.

A. SUBSEQUENT STATE LEGISLATIVE ACTIVITY

An immediate cause of Chapter 622's identification with general education concerns was its connection with the efforts to equalize opportunities for boys and girls seeking to enter Boston's selective academic high schools. In 1969 the Boston League of Women Voters had become concerned about the substantial differences in the city's "elite school" program for boys and girls. Of the four high schools sending the greatest number of students on to college, only one accepted girls. The other three accepted only male students. This meant that the total number of available places for boys in the

selective college-preparatory program was 5166; the total for girls was 1186. Eventually the constitutionality of the Boston arrangements was challenged by a law suit, and during the course of this litigation Chapter 622 became law. An attorney for the City of Boston was asked for an opinion as to the effect of the new law upon the city's system of separate-sex selective high schools, and she stated that in her view the act precluded any exclusion of a child solely on account of his or her sex. What had been an open constitutional question was now decisively answered by legislative enactment.

In an attempt to eliminate this nonconstitutional regulation of their practices and return to the position of being restrained only by constitutional considerations, which might yet be found to permit separate education of the sexes, administrators of the elite Boston schools sought repeal of Chapter 622 at the next legislative session. Defenders of the law rallied to its support, and both sides expended significant amounts of time and effort seeking to convince the legislature. Chapter 622 became more visible as a result of the attention this struggle attracted. However people who might otherwise have begun to use the law as a means of bringing about systemic change in the schools spent their time on this struggle to save it. Ultimately they were successful but a year was lost.

That legislative session, however, did see the passage of another bill which was directly related to Chapter 622: Chapter 101 of the Acts of 1972, amending Chapter 151C of the General Laws. This bill was also prepared by us as a proposal supported by Massachusetts Law Reform Institute. It extended the prohibitions against discrimination to all kinds of schools offering vocational training -- private as well as public -- and located enforcement responsibility in the Massachusetts Commission Against Discrimination, in keeping

with the general legislative pattern of providing for agency resolution of discrimination claims arising out of activities in the private sector. We saw two reasons for needing a law with this expanded coverage: (1) many kinds of postsecondary training for employment were primarily offered by private rather than public institutions (e.g., there is no publicly supported law school in Massachusetts), and (2) we were not certain that Chapter 622 could be used by adults seeking the opportunities offered by evening programs and other appropriate public school courses, and it did not seem to be a propitious time to rewrite Chapter 622. Chapter 101, as is more fully discussed below, has turned out to be a useful law for challenging open and visible discrimination in public vocational education.

The next year the Department of Education moved to eliminate the question of Chapter 622's coverage of adults by proposing an amendment to the section which substituted the word "person" for the word "child". This was passed. [1]

No other action to equalize educational opportunity for boys and girls has been taken by the Massachusetts legislature. [2] In particular no funds have been earmarked for this purpose. [3] In part, of course, this is explained by the original format of the legislation: it was not cast in the form which called for state action to implement it, nor did it suggest that the local school systems would need to expend additional monies in order to comply with it. As educators

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[1] Mass. Acts and Resolves ch. 925, 9A (1973).

[2] This statement may no longer be true due to action of the currently sitting Massachusetts legislature. As of this writing a bill has been proposed giving the Massachusetts Commission Against Discrimination concurrent jurisdiction over public school student complaints.

[3] This remains true. While MCAD's jurisdiction may be enlarged in the 1975 legislation session, its budget was not.

have considered their response to Chapter 622, however, it has become clear that providing genuinely equal opportunity will involve costs. As will be seen, the Department of Education has recognized the need to take action with respect to the law and has identified its responsibilities with respect to Chapter 622 as a reason to increase its staff, and therefore its budget. It has not, as yet, proposed that local school systems be given financial assistance or incentives as a means of stimulating change, although such a scheme has been proposed to the Department. No other interest group has carried this position to the legislature, although teachers, parents and administrators all seem aware of the new programs and materials which are needed to counter sex stereotyping practices, and are certainly sensitive to the differing financial capacities of individual school systems in the state.

B. SUBSEQUENT STATE DEPARTMENT OF EDUCATION ACTIVITY

After Chapter 622 was enacted we contacted the lawyers for the Department of Education concerning the possibility that regulations respecting the law could be issued, precisely defining obligations of the local school systems. A small number of interested people worked on these for a year, but no sense of urgency or commitment seemed to appear within the Department. During this period, however, citizen interest in how Chapter 622 could be used to change the schools grew, more pressure was brought to bear on the Department, and sex discrimination in education came increasingly to the forefront as a topic of general community concern.

In 1973 the Commissioner of Education in Massachusetts responded to these developments by setting in motion processes intended to ultimately establish and define a role for the state in eliminating sex-based distinctions in the public schools of the Commonwealth. Department personnel were given new tasks and plans for creating permanent staff positions began to be formulated. The mechanism by which the Department could expand its authority into this area was

seen to be Chapter 622, and in particular our proposal that the Department take an active part in defining what would constitute compliance with that law.

The Commissioner was not disposed to move with what might turn out to be undue haste here, and the approach he adopted was a testing of the waters through the vehicle of an Ad Hoc Committee for the Implementation of Chapter 622, comprised of the usual representatives of affected groups and interest groups and charged with the responsibility of developing "policy guidelines for the implementation and enforcement of this legislation." [1]

This Ad Hoc Committee evolved into a group which advocated a substantial role for the state in defining discriminatory educational practices and in acting to eliminate them. Its initial recommendations (Appendix Document 2) to the State Board of Education were phrased in firm, regulatory language, in keeping with its perception of what was needed. A controversy over method, rather than substance, resulted; everyone seemed agreed as to the need to correct existing practices in the public schools, but Chapter 622 was believed by many to limit the Board's discretion as to the timing of the corrective measures proposed. Again energies were diverted by what was, in essence, a tangential consideration, while children grew older and educational practices remained the same. The outcome was a decision to adopt guidelines (Appendix Document) for one year in order to give local school systems a chance to put them into effect and discover any flaws or difficulties which might exist. The understanding was that regulations would be proposed and considered in April of the following year -- 1975.[2]

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[1] Letter from Gregory R. Anrig, Commissioner of Education, Commonwealth of Massachusetts, dated June 22, 1973, to Ad Hoc Committee appointees.

[2] Regulations were adopted on June 24, 1975. See Appendix Document 4.

During the guideline test year, as we worked on this study of Chapter 622's impact upon vocational education, we realized that no guidelines were specifically addressed to the de facto segregation, by both sex and race, which appeared in the preferred separate system of vocational education, and that this problem could be identified in the anticipated regulations as one which the school system was obliged to correct. Other concerned groups saw other gaps in the Ad Hoc Committee s work and in the course of the process of converting the guidelines into proposed regulations, opportunities arose to suggest changes which would meet the perceived needs. The Massachusetts Advisory Council on Vocational-Technical Education, a federally-supported citizens advisory council with which we have close ties, submitted a section designed to prevent facility design from being a deterrent to participation. We proposed a section to deal with the possibility of exclusion from the separate system. These were the only two recommendations, as far as we know, which addressed the specific problems of vocational education in the Commonwealth within the context of Chapter 622.

At the same time that the Commissioner of Education was preparing to recommend to the Board of Education the adoption of temporary guidelines for local compliance with Chapter 622, he added a staff member responsible for coordinating the state's response to the law. This person became part of the Bureau for Equal Educational Opportunity. She functioned as a collector and disseminator of information, as an advice-giver and as a liaison to community-based groups seeking to change the schools. When she appeared, the Assistant Commissioner for Occupational Education gave one of his staff members divisional responsibility for implementation of Chapter 622. Eventually a policy statement on equal opportunity was developed and circulated among vocational administrators (Appendix Document 5). In addition, the vocational education planners for the Commonwealth, apparently responding to the changing climate of opinion and some prodding from the 622 Coordinator, began to concern themselves with opportunities for girls. One issue which had been

raised with the planners was the need for nondiscriminatory physical facilities. The technique developed to respond to this was to require that the group responsible for planning a new facility submit a statement to the 622 Coordinator explaining the way in which the building would serve both sexes (for an example see Appendix Document 6). Another issue was that of female nonparticipation in male-linked courses. The Division of Occupational Education has addressed itself to this issue in its five year plan for its program spanning 1975-1979. Its second major goal to be accomplished during this period is to "assist priority populations to overcome discriminatory barriers that prevent their participating in quality programs of occupational education." One of the objectives which the Division identifies as a means of contributing to the achievement of that goal is to "increase enrollments of women by 1,000 over FY '74 in programs offering instruction towards careers in trade, industrial and technical occupations."

C. ACTIVITY IN OTHER AGENCIES

The Massachusetts Commission Against Discrimination (MCAD) acquired jurisdiction over discriminatory practices in vocational schools as a result of the enactment of Chapter 101 of the Acts of 1972. In 1974, the Commission was told that Blackstone Valley Regional Vocational-Technical High School, a secondary school serving ten towns in southeastern Massachusetts, was rejecting applications from girls with the explanation that the school was intended only for boys. This restriction was in fact a part of the agreement entered into by the participating towns, as the MCAD learned upon investigation of the matter. Although Blackstone's exclusionary practices were initially brought to light by a female student denied admission, neither she nor her parents wished publicly to challenge the policy, and it

was left to the MCAD to investigate and file its own complaint. This was done, the facts were gathered, the agency found probable cause and proposed a settlement with the school on terms designed both to eliminate all future discrimination and to remedy, insofar as possible, the effects of past discrimination. Representatives of the school rejected this proposal, and the case is currently going forward. The interest the Blackstone matter generated produced a second complaint to the MCAD about a vocational education program, so at present the agency is noticeably active in this area.

D. COMMUNITY EFFORTS

Chapter 622 has been a rallying point for many citizens' groups, organized to study their school systems and recommend new ways of doing things. As far as we know, however, only one such group focused on a technical vocational school, and it did not meet with any success.

The reasons for the lack of community interest in unequal opportunities in vocational education appear to be complex. In many instances, it is difficult to bring people together because of the size of the region covered by the school. The logical adult target group -- the parents of children attending the school -- is likely to be satisfied with the status quo. Other residents in the communities served by the program do not perceive its operation as directly relevant to their concerns. Its selectiveness serves as an insulator. The fact that so many explanations can be offered for the absence of community concern about Chapter 622 and vocational education programs is itself a telling indicator of the direction from which further impetus for change must come. No grass roots movement is going to spring up; the alternative is initiative on the part of those who have the power to determine educational policy. So when we consider what should be done next, it is with the assumption that the state Board of Education will have to design the implementation strategy we believe it is obliged to pursue.

CHAPTER VII: FORCES ON BEHALF OF THE STATUS QUO

We have just suggested that there is a negative explanation for the tendency of vocational education to continue to follow the traditional pattern of training boys and girls for different kinds of work as adults: there is no community pressure to do otherwise. In Massachusetts this circumstance is reinforced by the design of the educational delivery system, particularly that of the regional technical-vocational schools. The structure of these schools, which are the mainstay of the separate system utilized by male students, promotes institutional stability. This can be seen by examining the way in which the schools organize the instruction they offer, their governance arrangements, their funding, their student recruitment, selection and placement, and even the way they are constructed.

In terms of the organization of instruction, a vocational school approximates the currently fashionable concept of schools-within-a-school. Shops of a distinctive kind - a school may offer as many as 23 distinctly different vocational programs -- serve as a way of organizing students, faculty, and educational content. The regulations governing vocational education require that fifty percent of a student's time is spent in a shop in hands-on work, 25% on theory related to those shops, and 25% on traditional academic subjects. [1] By and large students remain in the shop they initially select, either before entrance or in the middle of the freshman year (as a result of exposure to clusters of different shops). Hence students' experience of the entire institution and indeed their own emerging identity is largely related to their almost exclusive experience in a particular sub-section of the institution.

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[1] State Department of Education Bulletin 326.

The advantages and disadvantages to the student body are obvious; students demonstrate the security that is possible in belonging to a defined and recognized group, but are liable to the hazards of feeling confined to a narrow area of competency on which their adult lives will largely depend. The separateness of shops as a force for institutional stability can be viewed as ensuring the continuation of the status quo, with effective efforts at change needing to occur simultaneously at the institutional level and in each of the discrete shops.

This organizational method appears to be an even stronger force for status quo maintenance than is the more conventional departmental formula, and the latter's capacity to resist change is well documented.

In the case of regional vocational schools there is also an organizational difference from regular schools in terms of their governance and funding. While Massachusetts' town and city-run vocational schools are potentially responsive to school committees elected by a single town (or in the case of Worcester, New Bedford and Northampton by vocational trustees), regional vocational schools are governed by school committees composed of elected or appointed representatives from each of the member towns. The number of towns may be as few as four or as many as twelve. This fragmented governance structure constitutes another force for maintaining the status quo: efforts at change must overcome the difficulties involved in reaching and persuading a majority of school committee members who come from different towns, each with different constituencies and different communications methods. It stands in significant contrast to the relatively simpler school committee structure governing academic schools (elected representatives from one town or, in the case of regional high schools, two). The fragmentation and distance implicit in the governance structure of regional vocational schools is further evident in the funding arrangement for such schools.

Because of state participation both in vocational education and in regional education, individual towns invariably pay a far lower net cost for educating students in a costly vocational school than for sending the same student to the local high school. [1]

If the rationale for fiscal autonomy for school committees lies in a belief in elected responsibility and accountability, then a system in which the elected representatives are only truly accountable for their individual town's fraction of perhaps 25¢ out of every dollar is again one which introduces distance and separation between a concerned citizenry and the institution. [2]

In all vocational schools there is another external structural factor which buffers the institution from the winds of change. This is the requirement for every shop of an advisory committee of representatives from the local geographic area representing employees and employers -- business and industry. [3] This arrangement develops a formal network of contacts for each shop, keeping them informed of the world for which they are preparing students and keeping potential employers involved in the educational institution and its products.

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[1] In its revised proposal for expansion, the Blue Hills Regional Vocational Technical High School's figures show an average net cost per pupil for all seven towns of $59.00. In some instances towns were actually receiving more in regional aid than they were being assessed in support of their pupils.

Another school official in another institution estimates that the gross cost per pupil is $2,490. The state's assessed tuition is $1,380, but the cost to the taxpayer is $900 after reimbursements.

[2] One regional school's brochure urging five towns to accept a new building addition states: "The towns will eventually pay about 25% of the cost." The total cost of expansion is estimated at $5,620,000.

[3] Bulletin 326.

The advisory committees dramatize the relationship between vocational schools and the employing world. Unlike other educating institutions, vocational schools are engaged not only in educating students, but also in serving business and industry. The measure of their success in the first task depends upon their record in the second. This gives the particular industries in a particular location the potential for a very influential role in educational policy.

When we turn to issues of recruitment, admissions and placement we confront the fact that the vocational schools in the separate system, particularly regional vocational-technical high schools, are unique secondary institutions in Massachusetts. Partly in response to the vocational establishment's frustration with being the second-class citizens of the educational world, partly as a reaction to a climate of opinion and politics in the early sixties which permitted in the arena of public higher education the creation of a regional community college system, the Commonwealth chose to create a separate and well-financed system of vocational-technical secondary institutions on a regional basis rather than to incorporate vocational programs into suburban high school settings.

Given the number of places available in these institutions [1] and the demand for them, [2] the state in effect created a selective school system with public funds. The institutions have reacted accordingly. Because they can pick and choose among those who want to attend, and because in large part they anticipate being judged by the quality of their graduates and the success of their placements, they have developed recruitment and selection procedures

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[1] In 1973, 9,173 secondary students out of a total secondary-vocational enrollment of 135,259, or 7% of the total.

[2] Every director we interviewed testified to a demand far exceeding his institution's capacity to respond. Some directors said they deliberately maintained a low profile to depress the numbers of applications.

which tend to accept the most able students. [1]

Matters of discipline and student drop-outs do not plague the regional vocational schools because students know -- and are reminded if they forget -- that many other eager individuals will gladly take their place. There are indications that the institutions

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[1] In three regional schools which we visited and for which we have figures, the applicants for the 9th grade year versus those accepted look like this:

	Applied	Accepted	% of Acceptances of those who Applied
School I	891	475	53%
School II	420	180	43%
School III	525	257	49%

All of the institutions which we visited which engaged in a selection process require applicants to take an established aptitute test. In all of our sample that test was the Diagnostic Aptitude Test, administered either in part or in whole. This test consists of nine (9) components including the five areas most frequently used of:

verbal
spacial relations
numerical
abstract reasoning
mechanical

The usual practice is the development of a statistical student profile based on the following information:

- previous grades for the 1 1/2 years of junior high preceding application
- sending school's perceptions (attendance, behavior, attitude, recommendations)
- interview
- DAT results

The weighted value for each of these is usually placed on a bell curve, for the applying groups as a whole, for each sending town, with quotas set for each town, and, in those cases where the 9th grade does not include an exploratory half-year, for each vocational program where the number of work stations is determined by the equipment available and by safety laws. With respect to the entire procedure, institutions vary most in their assignment of weight to the interview, some giving it double weight and others a value of 1, and to the extent to which they accept students from all parts of the distribution.

may be taking the next conceptual step in the development of a selective system and viewing their mission as one more reminiscent of elite private boarding schools of Tom Brown's school days than of most American state-supported institutions, with the development of character taking precedence over the development of skills.

A system of education which is so easily analogized to a selective private school system is separated from the forces of change which a diverse and non-selected student body might bring to bear. Inasmuch as a selective system tends to become self-perpetuating, such an institution becomes more dependent on the vision and energy of its administration and governing body for introducing change. Yet, as we have seen, the governing body is, by design, fragmented, and administrators of the system tend to see themselves as powerless to change the system. With respect to the introduction of significant numbers of girls, they cite most frequently the attitudes of employers towards female applicants in non-traditional jobs, the biases of parents against their daughters entering non-traditional fields, and the absence of adequate changing and toilet facilities in heretofore all-male buildings and shops. None of these obstacles is under the control of the administrator or even, with the exception of toilets, within the scope of his institution. Only one administrator of 25 we interviewed even discussed the issues he faced in getting his faculty to adjust to the presence of women and to behave supportively towards them in programs which had never previously enrolled women.

The special factors, then, which distinguish a vocational school from other academic institutions appear to constitute forces for the maintenance of a status quo which excludes women and for a separation of vocational schools from the mainstream of American education. That separation further protects the status quo.

CHAPTER VIII: MOVING FORWARD

Once the structure of vocational education in Massachusetts is examined, it becomes apparent that state legislation can affect it only in limited ways. And state legislation which does not impede or alter the flow of money into local systems is unlikely to affect it at all. There are too many other forces which shape the form of vocational education, and too much history to overcome. Thus, it is not surprising that an administrator of vocational education programs can say, four years after passage, "I never heard of Chapter 622."

What action by the state legislature can do, however, is to articulate and communicate a message to the persons responsible for managing vocational education in the Commonwealth that their goal must be the elimination of inequalities in educational opportunities which are based on the sex of the student. Chapter 622 of the Acts of 1971 was intended to transmit that message.

One recipient should have been the state Board of Education. By statute it is charged with responsibility, through its Division of Occupational Education, for the "administration of vocational education, and the supervision of the administration thereof by local educational agencies." [1] It is the body possessing the means by which the promises of Chapter 622 can be translated into realities for the boys and girls seeking to prepare themselves in the public schools of Massachusetts for future employment. It is the only public agency with this capacity. When we consider how to move forward, then, it is the possibilities for Board activity which need to be enumerated.

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[1] Mass. Gen. Laws Ch. 15, §1F (1973).

It is first important to point out that responsible Board action should be designed to produce more than will result from private reliance upon the Chapter 622 guarantees. The right of an individual child to participate in programs previously closed to that child on account of his or her sex is now established by law. A child who wants one of these particular opportunities can get it. It will be useful to that child if the state helps him or her to secure that right, and if the state makes it unnecessary for the child to initiate legal proceedings in order to prevail, but the state's activity in this sphere is supplementary, not primary. Programs intended to help individual complainants in no way involve the Board's broader and unique capabilities.

The passage of Chapter 622, a clear statement of a new legislative policy, should have been viewed by the Board of Education as a reason to reexamine its own policies and to determine what effect those policies were having upon the boys and girls attending public schools in the Commonwealth. It would have found, as we have, that its policies permitted the continuation in Massachusetts vocational education of nineteenth century practices of educating the sexes differently. Indeed, it permitted these practices to flourish, and thus the Board was doing great and permanent harm to the girls and young women of the Commonwealth. Having found this out, the Board of Education would then have had, as it now has, a responsibility to eliminate the educational policies producing these practices.

There are four crucial actions which the Board of Education must take if it intends now to begin the attempt to equalize opportunities in vocational education for boys and girls:

(1) It must acknowledge the discriminatory consequences of the Massachusetts policy of providing separate vocational training for boys and girls, and then act to eliminate that discrimination by requiring all vocational programs within the state to take specified corrective steps designed to change existing patterns of enrollment.

(2) It must take the initiative in developing a job search network which will respond to the need to find satisfactory employment for a new wave of vocational school graduates, trained for nontraditional careers.

(3) It must advocate far-reaching changes in the programs designed to prepare students to work in office occupations.

(4) It must advocate change in the financing and focus of programs designed to acquaint students with the work of the home.

Although there are other steps which could be taken and which should be, we think these four ought to be given priority. We also think they should be undertaken simultaneously. Vocational school programs should be required to act to increase their female enrollment. Special placement assistance should be provided to ensure that those girls have good jobs when they graduate. One key to achieving the goals of graduating more females who are prepared for well paid employment, offering opportunities for advancement, is to expand the possibilities of office occupations in innovative directions. A second key is to redirect the focus of homemaking education, clearly distinguishing it from forms of education which train for gainful employment. Pursuing all of these, all at once, will require commitment. It will also require money. But it is time that the girls and young women of Massachusetts received a

share of the resources used by the state to prepare its citizens for jobs. Concern about the economic plight of women is long overdue, and this is a good place to begin.

1. Acknowledgment of Discrimination and a Corrective Action Program

If statewide change is to occur, it must be directed by the state. Local administrators are not likely to establish consistent policies when each is relatively autonomous, and when that autonomy is coupled with responsibility to a number of widely varying constituencies. The state Board of Education, with its statutory responsibility for vocational education, is the logical source of statewide policy respecting the issue of sex discrimination in vocational education programs.

As a result of this report, as well as data from its own sources and elsewhere, the Board is aware of the past patterns of discrimination in Massachusetts vocational education. It knows something of their origins, and a significant amount about their consequences. It has a factual basis on which to rest a finding that as a result of past policies and practices Massachusetts now administers a vocational education system which denies to girls and young women the opportunity to train for a range of occupations equivalent to those available to boys and young men. It administers a system which fails to provide its female students with income-earning skills equal to those of its male students. The Board can readily find that the Massachusetts system is one which is continuing to discriminate on the basis of sex.

Having reached these conclusions, the state Board should respond by adopting a corrective action policy to be adhered to by every school system receiving state monies under Chapter 74 of the General Laws.

This sounds much like the standard governmental response to problems of institutional discrimination: change the bureaucratic processes and fill out a lot of reports about what is being done. However, important distinctions are intended. This is not a proposal for affirmative action, a process-changing device. What is being recommended here is the imposition of a duty to take corrective action, with the implicit assumption that the result of such activity will be a change in the outcome of the vocational education process.

Both legal and theoretical rationales exist for promulgation of a corrective action program for Massachusetts vocational education. It is a separate system within the state scheme, and has developed in a distinctive figuration. Its problems require separate solutions. There is growing legislative pressure upon the administrators of vocational education to formulate effective solutions to the problems of equal access· the United States Congress has directed that the use of federal funds in schools which continue to discriminate on the basis of sex must end, and Massachusetts has acted to curtail discriminatory practices by creating judicial and administrative remedies. [1] The Board of Education itself has begun the process of regulating educational activities which have discriminatory effects. [2] The increased legislative and executive interest in the subject parallels an increased awareness of the presence of constitutional protections for the girls and boys whose educational opportunities are being limited by current policies. The failure to introduce change into the public vocational education system may itself have constitutional implications. These considerations, in combination, make a very compelling case for positive action on the part of the State Board of Education.

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[1] Mass. Gen. Laws c. 76, §§5 and 16 (Supp. 1974); Mass. Gen. Laws c. 151C. (1965), as amended (Supp 1974).

[2] See pp. 137-38 supra.

A corrective action program should have four components: (a) composition of the student population; (b) course offerings; (c) physical facilities; (d) staff.

a. Student Population

The initial, short term goal must be to have an equal number of boys and girls served by the separate vocational education system in Massachusetts. There are at least three changes which can be introduced which will contribute to the realization of this objective:

(1) Girls, as the previously excluded sex, should now be given an admissions preference in all selective vocational education programs. The preference should continue until the student population within the program is representative of the general student population in the geographical area served by the program. In the case of a city vocational high school, for example, the target would be a student body of boys and girls in the same proportions as found in the city's comprehensive high school. [1]

(2) Special recruitment and outreach efforts must be directed at girls. This should involve using recruitment materials which make it apparent that girls are welcome in every program, developing advisory materials and techniques that are responsive to the particular career concerns of adolescent girls, implementing a vigorous personal contact program which reaches both interested girls and their parents, instituting visiting and trial and summer opportunities to acquaint girls with the educational programs offered in the vocational field, and making the presentations and contacts through staff members who are selected because of their interest in expanding vocational opportunities for girls and young women.

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[1] This concept was proposed by us for inclusion in the Chapter 622 regulations and now appears in those as Regulation 8.10.

(3) Programs must be redesigned to make them initially appealing to both sexes. This could involve adding new courses of study to traditional vocational education programs; in addition, much can be accomplished by restructuring existing ones. For example, there are a number of occupations related to the construction trades which do not have the same degree of male linkage that plumbing, carpentry and electrical work do: code enforcement work, building inspection, building material supplying. Introducing these related fields into a program of training in the construction trades might make the program more attractive to adolescent girls and young women.

The long term goal of every institution offering programs of vocational occupation should be to have an equal number of boys and girls (and, where appropriate, men and women) in each of the programs offered within the institution. In a society which has accepted the proposition that virtually all jobs can be performed equally well by men and women, it must follow that training for jobs should reflect these non-stereotyped expectations for the labor market activities of adults. In pursuit of this objective it will be necessary to change the program enrollment patterns for both sexes: if girls are to move out of their traditional areas of occupational study into formerly male programs, so boys should be moving into the programs usually thought of as "girls' subjects." Much of the inspiration for changes of this nature will have to come from the guidance and counseling staff who are working with the students, but there are procedures which an institution can introduce which will expose students to the wider range of options which they are all now free to consider:

(1) A survey year, in which all entering students have an opportunity to sample the offerings available within the school, is essential. If the schedule does not permit students to be provided with a full exploratory year the need should be met with a more intensive exposure during a shorter period. A plan which requires each student to spend time in a course which represents a particular kind of occupational grouping --, e.g. technical; construction; graphic arts; mechanical; human services· agricultural -- will give each student an opportunity to find out whether he or she enjoys one in preference to another or has a special aptitude for work in a specific field.

(2) In this survey year students should be exposed to curriculum materials which reinforce their knowledge of the employment opportunities now available to adult men and women with vocational training. This educational program could include presentations from employers, contact with adult workers of both sexes, and information about the operation of the labor market, the role which unions and similar employee organizations play, and the specifics of corporate structure.

The method by which students select their area of vocational concentration, once they have been through the exposure and informative period, is crucial to the accomplishment of these program-dispersal objectives. During this transitional period in occupational choice the selection method must respond specifically to the choices of those boys and girls who desire to enter a non-traditional field. They must not be grouped with the students for whom the choice is a normal and conventional one. The necessary special treatment can be achieved by adopting for each program a seat-reservation plan: seats shall be allotted to each sex in proportion to its representation in the student community served by the school. If the secondary school population is 51% female and 49% male, program places should be reserved accordingly. This

arrangement should control the assignment of students to courses of study to the extent it is consistent with a student's own preferences and demonstrated abilities. When the pool of interested and qualified students is exhausted the subsequent matching of the remaining students to program vacancies should be done on a basis which includes an effort to achieve sexual balance within each program.

b. Course Offerings

The ability of a vocational education program to attract and retain equal numbers of males and females ultimately will depend upon the available courses of study. The success of a vocational education program in achieving the objective of providing an equal preparation for gainful employment to both sexes will also depend upon the courses of study. If any remain sex-linked, and if those which remain sex-linked offer significantly greater opportunities to earn or advance in employment, or significantly more limited opportunities to do so, the outcome of vocational education will remain different for boys and girls.

This analysis suggests that a standard is needed to assess particular course offerings in such a way as to reflect the employment opportunities available to persons who complete that course of study. Our suggested standard is this: every course of study offered by the Massachusetts system of vocational education should prepare for employment which is reasonably gainful in light of the economic needs and responsibilities of adults. In applying this standard no distinction should be made between men and women in terms of their anticipated economic status None exists in fact. If the jobs available to a student who successfully completes a

course of study are not ones which offer an expectant wage adequate to enable a person to be self sufficient and to contribute to the support of others, that course of study should not be a part of our vocational education system. A test of this nature is necessary in order to end the system's involvement with female-linked courses which prepare people to be supplementary earners or marginal participants in the labor force. These programs were valuable and necessary when women were filling supplementary roles in the labor force. But to continue such programs is to continue to meet a need that no longer exists and to ignore a current need pressing for response.

If the Board of Education requires that all course offerings be shown to meet this proposed standard, and in addition requires that every vocational education programm progress toward the goal of enrolling both sexes in proportion to their representation in the larger community, the net result should be an effort to upgrade and expand the courses of study which prove to attract females, the traditionally under-represented sex. However, the upgrading will not take place, in our opinion, unless a standard is set.

c. Physical Facilities

Many of the physical plants in which vocational education programs are offered were designed for sex-segregated programs. When an attempt is made to accommodate both sexes it becomes apparent that space to change clothes in order to do shop work is inadequate and the toilets are in the wrong places. This is an issue often treated humorously, but in practice it becomes a serious barrier. It deters and discourages participation The answer is money for renovation. It should come from the Commonwealth. The Board of Education should seek an expansion of the school building assistance program to allow for the reimbursement of monies spent to equalize

a school's physical facilities in order to provide equal educational opportunities for boys and girls, and then it should require that the work of equalizing be done as part of a school's corrective action program.

d. Staff

Having both men and women on the staff of a vocational educational institution, holding a variety of positions, is evidence that the institution is a resource for everyone. In many cases the sexual composition of the staff can correct the stereotyped assumptions which link gender to occupation, and in some cases particular staff members will serve as valuable role models to boys and girls who are interested in pursuing nontraditional careers. These are good reasons for endeavoring to achieve sexual balance in an institution's staffing patterns, and ones which would support a Board of Education requirement that all hiring, promotion and assignment decisions made by administrators of vocational education programs take the factor of sexual balance into account.

A second way in which policies affecting staff can be related to concern for the nature of students is by means of in-service and pre-service training programs. Certainly it would be sensible to require all potential teachers of vocational subjects to study the subject of equal opportunity in education and employment and the techniques used to implement these objectives. A mandatory course for teachers already employed might encounter opposition which would destroy its effectiveness, but there could be no objection to the adoption of Board policies which would make such a course readily available to teachers, free, and accompanied by an effective inducement to enroll, such as academic credits or student teacher time in exchange.

The procedures by which the Board enforces its corrective action order will be central to the success of the program. Its powers over the distribution of funds should be used. The mechanism would be the approval of vocational education programs by the Commissioner of Education. He or she should be directed by the Board to condition approval of any new program in a sexually imbalanced facility or department only upon a showing that the new program can be reasonably expected to contribute to redressing the balance. Further, a systematic review of existing programs should be undertaken, and their continuing existence conditioned upon whether visible shifts in enrollment patterns are occurring.

2. A Job Supply Network

One of the most frequently heard objections to proposals to train students in nontraditional careers is the argument that they will be unable to find work: no one will hire a man to be a secretary or a woman to be a mechanic. Stated as flatly as that, the contention is untrue. But if it is understood as a way of communicating a belief that it will be more difficult to find jobs for these students, it is not such a dubious premise. It is probably true. Despite the protections of state and federal legislation and increased public acceptance of men and women in a broad variety of jobs, there is still a reservoir of psychic resistance to change.

Under these circumstances, some effort to be innovative seems called for. Unless the usual patterns followed by guidance and placement personnel and the persons who make employment decisions are disrupted by the introduction of new processes, things are likely to remain the same. The change we are proposing is the establishment and operation by the state of a job supply network for students with

nontraditional training. The network would be a resource for the school administrator in charge of placement; it would function as an information center with data on the needs of local affirmative action employers and others making an effort to correct sex segregation in their work force. The responsibility for searching out the job opportunities and maintaining up to date listings would belong to the operators of the network. An energetic and committed staff might go further and strive to generate jobs, particularly trial opportunities such as work-study arrangements or summer employment. The cost of the effort should be borne by the state

3. The Redesign of Office Occupations

Office work offers an astounding number of occupational options. It is one of the major occupational fields for Massachusetts workers. Most women workers in the state are engaged in it. Yet the opportunities to receive thorough training for office occupations in the public schools of Massachusetts are few. In practice, this has meant that most high school age girls seeking to train for gainful employment are not finding their needs met by the programs available to them: they make attempts to prepare themselves for self-sufficiency but graduate without having been able to achieve this. They then find themselves obliged to either take low paying jobs or pay the costs of obtaining further training.

The objective of expanding opportunities for girls in vocational education need not be achieved solely by encouraging girls to explore new fields and areas previously closed to them. It can be equally fruitful to acknowledge that the present interests and inclinations of many girls focus on training for office occupations, and to work from that point. There are career opportunities within the field; there are jobs which pay well and offer excellent chances for advancement. Educational processes can provide a student with

By anyone's standards this is a shocking state of affairs. The field of office occupations given student interest and employer interest, should be a primary recipient of state resources and attention.

The first step to be taken in legitimizing office occupations would be a change in the statutory language which controls the state reimbursement program. This should be accompanied by an effort at the state level to develop curricula for a series of integrated educational programs designed to prepare a student for something more than an entry-level position in office work; that kind of a job is available to many people who possess only minimum skills on one or two machines. A four year vocationally-oriented course of study ought to be able to do much more than that, and the abilities then possessed by its graduates ought to give them a clear advantage in the labor market. A good, extensive effort at public relations ought to be a part of the changeover. Employers in Massachusetts should become sensitized to the idea that a graduate in office occupations has a special credential which will prove valuable to the employer in practice.

4. The Separation of Courses which Prepare for the Work of the Home

The proposed inclusion of office occupations in the Chapter 74 list of reimbursable courses of study should be balanced by the exclusion of the home economics category so that the Chapter 74 program becomes one which is wholly and exclusively concerned with the local community's effort to prepare students to be gainfully employed. A new chapter of the General Laws should be proposed to deal with the very important -- but quite separate -- subject of providing public school students with the education they need in order to manage their domestic environment.

Attempts have already been made to elicit a state response to the growing interest in providing all children with basic skills needed by a self-sufficient adult. As often happens, the legislature has been willing to express its concern, but its willingness has not extended to the point of appropriating money to assist local school systems interested in moving in this direction. The opportunity to apply state funds to this endeavor is there, however, if one is willing to expand the potential of the existing home economics programs in the Commonwealth. This should be done. A way to begin is suggested, once again, by the way in which the federal legislation was reformed. The old home economics category emerged as a special allotment for consumer and homemaking education. This does not go nearly far enough, and it is too narrow in its conception. It fails to recognize that "homemaking" consists not only of the traditional kinds of women's work -- cooking, sewing, and child-caring -- but also calls for a knowledge of machinery, some basic construction skills and experience with tools. Massachusetts could take this further step and introduce practical skills education as a reimbursable subject to replace the home economics category. The subject would lose its sex-linkage and be offered in its proper location and proper context -- as a course for everyone, regardless of his or her career plans, available to all students in all schools as a supplementary offering rather than a major course of study.

CHAPTER IX: A CONCLUSION

This study taught us that the story of the impact of Chapter 622 upon vocational education is only beginning to unfold. We also have seen how much we ourselves, and the project itself, are involved in the affective process. If we had gone on to focus our attention elsewhere after Chapter 622 was passed, or if the National Institute of Education had not sponsored this study, developments in Massachusetts following the enactment of the law would have been different. A listing of the events in which we have had a part to play would have to include:

(1) The decision of the Massachusetts Board of Education to accept an affirmative responsibility for the implementation of Chapter 622, both by committing staff time and by establishing guidelines for compliance as a prelude to regulatory activity.

(2) The extension of the 622 principle to all vocational schools, public and private.

(3) The anticipated legislative decision to give the Massachusetts Commission against Discrimination concurrent jurisdiction over 622 complaints.

(4) The firm stance of the Massachusetts Advisory Council on Vocational-Technical Education on the need for increased female participation in vocational education programs.

(5) The strong position taken by the Governor of the Commonwealth of Massachusetts on taking the necessary steps to end sex discrimination in the public schools.

the skills and knowledge needed to take advantage of these opportunities, and this is what should be happening for high school students interested in preparing for work in the office occupations field. Moreover, there are new specializations to be developed which could be appropriately taught within a vocational-technical school setting. Just as employer interest in office workers prepared to work in law offices and doctors' offices has developed, employer interest in an office worker who understands the needs of a construction firm or a manufacturing establishment could be recognized and satisfied. Finally, there is the opportunity to produce incremental change in the lives of girls and women (and possibly boys and men) by introducing them to a new concept of dual-function education - preparation to work both as a specialized office worker in a particular trade or occupation and as a worker in the trade or occupation itself. If this proposal became a reality, a student, by choosing to attend a vocational school, could acquire general office skills, a working knowledge of the building trades industry, and a particular skill, such as carpentry, which would be adequate preparation for an entry level job in that occupational field. The opportunities and options open to a person with this range of training would be tremendous.

An obvious initial barrier to statewide development of a strong innovative, flexible office occupations program is the exclusion of office skills training from the Chapter 74 program of state reimbursement for approved vocational courses of study. This local policy constitutes a brake on whatever impetus might otherwise be provided to office occupations programs by the Federal acceptance of their legitimacy. In Massachusetts they continue to have step-child status, included in the separate system of vocational education only by administrative whim, and often in order to provide a female presence in what is conceived of as a male school.

But all of these are first steps. We have yet to see the consequences of our actions. As a result, this study has turned out to be a document which can be most fairly described as one concerned with political and social processes accompanying legal action, and not a report on the tangible results which have followed the enactment of a law. We are still waiting for results, and it seems possible that this study, and its recommendations, may direct attention to the need for them: what to do now to bring about some results and how to know when they occur.

The legislation opened the door of vocational education in Massachusetts and served as a statement of intent that everyone should be equally interested in going through it. Making this a reality is now up to the educators. It is clear to us that the educational system, left to operate in its normal ways, will not achieve this objective. It is not an initiator of implementation strategies. Direction must be given to it if we are to see actual change in vocational education in Massachusetts.

In particular, we need a climate in which students will be free to consider new options, changing options, a combination of options. There have always been reasonably straightforward motivations for boys to choose to enroll in an occupational education program, and it seems likely that these have not changed in any significant way. Boys anticipate being adults who hold down jobs, who assume financial responsibility for themselves and others. They choose an education which is compatible with their present interests and their future expectations for themselves. The motives of girls are likely to be more complex. Whether or not to prepare to be financially self-sufficient continues to appear to many to be an option, since many of them live with or know adult women who are economically dependent.

Employment holds interest for them, not only because of its financial and psychological rewards, but because of the opportunities to enter into new personal relationships, to meet new people. The belief that doctors marry nurses is still very much with us. Any effective program to introduce adolescent girls to a different range of opportunities to prepare for employment must take these factors into account, must seek to increase training options while responding to the interest in personal satisfactions which are not perceived to exist in particular job settings.

We hope planners, educators and policymakers will take this report as a guide to action, but not one that forecloses other choices. We thought of Chapter 622 as a means of beginning a remedial process. We see this appraisal, and its recommendations, as part of the continuing effort to stimulate change.

APPENDIX A: SEPARATE SYSTEM DATA

Enrollment data for vocational students in the Commonwealth presented many problems. Since most data collected by the Division of Occupational Education is for required federal reports, to the extent that the federal and state views of vocational students differ, the available data is skewed. (For instance office occupations are included in federal data but are not supported by the Commonwealth under Chapter 74.)

The reporting form used for enrollment figures is OE Form 3138 (see next page). The difficulty (from the perspective of this study) with this form is that it represents an entire locality rather than an individual school. (The regional vocational technical high schools and independent trade schools are exceptions.) One cannot tell, for instance, which of the students appearing on the next page are enrolled in Attleboro Technical and Vocational High School and which are those in Attleboro High School. While one can assume that, in general, office practices are offered in high schools while trades and industry programs tend to be found in the separate vocational schools, there is enough overlap that there is no simple means by which to isolate the information for a particular school.

Given such data constraints, discussions of the separate system in this study are often in terms of localities and regions in which vocational schools are located rather in terms of the schools themselves. (See Table IV 2, page 106 for listing of vocational schools used to select localities.) While the numbers, therefore, are necessarily imprecise we feel they give a reasonably accurate general picture of the system.

The following pages represent the result of our attempts to identify the separate systems.

ACTUAL ENROLLMENTS IN VOCATINAL EDUCATION PROGRAMS SECTION I

	CODE	PROGRAM TITLE	TOTAL FEMALE	TOTAL MALE	NUMBER DISADV	NUMBER HDCP	SECONDARY BELOW 9	SECONDARY 9 - 12	POST-SECOND	ADULT PREP-Y	ADULT SUPPLEM	APPRENT	COOP	COMPL.
1.	000000	GRAND TOTAL	134	653	9			787						120
2.	140000	TOTAL OFFICE	94	462				556						70
3.	140100	ACCOUNTING + COMPUTING	49	130				179						7
4.	140300	FILING, OFFICE MACH	5	43				48						8
5.	140700	STENO, SECY, + RELATED		75				75						15
6.	140900	TYPING + RELATED OCCUP	40	214				254						40
7.	170000	TOTAL TRADES + INDUSTRY	40	191	9			231						50
8.	170102	MECHANICS, AUTO	1	41	6			42						11
9.	170700	CML ART OCCUP	24	19	1			43						8
10.	171500	ELECTRONIC OCCUP		41	1			41						11
11.	171900	GRAPHICS ARTS OCCUP	15	29	1			44						11
12.	172300	METAL WORKING OCCUP		61				61						9

LOCALITIES WIT

Member Voc Region in 72-73	Locality	Adults and/or Post-Secondary Included	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consu Homem M
	Arlington		746	732	138	9	223	0	
	Attleboro		653†	134†	191	40			
	Barnstable	✓	573	405	372	7			5
	Beverly		337	389	286	0			
	Boston	✓	7,873	9.183	4,715	314			52
	Chicopee	✓	460	68	438	21			
	Dartmouth		131	196	55	0			0
	Everett		414	654	208	0	86	0	0
✓	Fall River	✓	146	886	35	23			0
	Framingham	✓	604	1,284	286	0			0
	Gloucester		142	218	136	0			
	Greenfield		465	519	290	9			107
	Haverhill		798#	520#	652#	0			0
	Holyoke	✓	617	1,000	379	45			
	Leominster	✓	912	1,004	550	0			
	Lowell	✓	432	199	431°	39°			0
	Lynn	✓	1,22€	2,689	864°	47°			114
	Marlborough	✓	433	281	320	1			
	Medford	✓	785	879	443	29			
	Newton	✓	1,348	1,242	472	1			6°
✓	Northbridge		69	280	13	0			0
✓	Norwood	✓	130	249	39	68			
	Peabody	✓	386	44	381	18			
	Pittsfield	✓	900	781	768	51			
	Quincy	✓	2,250	2,250	1,609	107	17•	0	31°
	Salem		149	14	106	1	37	0	
	Somerville	✓	660	1,536	423	39			0
	Springfield	✓	2,475	4,715	1,811	362			
	Waltham	✓	1,079	1,264	475	93			
	Westfield	✓	387	172	387	0			
	Weymouth	✓	739	1,036	314	0	59	1	0
	TOTAL:		28,319	34,823	17,587	1,324	422	1	325

† Believe office #'s have been transposed ° Secondary Only • Adult and/or Po

SEPARATE VOCATIONAL SCHOOLS [1]

er & king F	Occup. Prep. M	Occup. Prep. F	Office M	Office F	Distribution M	Distribution F	Health M	Health F	Agriculture M	Agriculture F	Special Programs M	Special Programs F
	85	37	269	661	31	9	0	16				
			462†	94†	248	54						
101	0	48	58	223	5	4	0	20			133	2
			45	350	6	39						
,756			2,216	5,587	725°	864°	84	654	81°	8°		
					22°	47°						
12			5	145	71	39						
75			120	579								
187°	0	145	111	508			0	23°				
584°			318°	700°								
			6	216	0	2						
248			60	240	8	22						
24			146	496								
			236°	900°			2	55				
			339	901	22°	35°	1	68				
95°							1*	65*				
959	30°	62°	140	1,321	78°	273°	0	27				
			101°	271°	12°	9°						
			332°	820°	9°	10°	1°	20°				
15°	4°	50°	305	815							561°	361°
40			56	240								
	0	26	51	81	39	38	1*	36*				
					5°	26°						
	14°	44°	111	627	5°	10°	2*	49*				
52°	0	37°	578	1,940			15	114				
					6	13						
64°	0	378°	237°	1,055°								
	27	1,908	634	2,290			3	155				
			596°	1,141°	9°	10°	0	20*				
			0	172°								
34°			326°	930°	40°	16°	0	55°				
,246	160	2,735	7,858	23,303	1,092	1,466	110	1,377	81	8	694	363

t-Secondary Only

Member Voc. Reg '72-73	Locality	Adults and/or Post-Secondary Included	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
✓	Abington	✓	189	269	157°	19°			15	75
	Agawam		220	224	174	2			0	43
	Amesbury		86	229	12	0				
✓	Andover		4	193						
	Ashland		30	139					0	2
✓	Auburn		68	252					5	52
✓	Avon		11	167					0	46
	Ayer		182	416					62	138
✓	Bedford	✓	458	547	380°	16°			50°	238°
	Belchertown		41	210					0	53
✓	Bellingham		92	211						
	Belmont		83	288	28	0			0	115
✓	Billerica	✓	330	1124	29*	3*			4*	328*
✓	Bourne		50	191						
✓	Braintree		70	80	62	7				
✓	Brockton		316	393	156	0				
	Brookline	✓	706	928	490	23			19°	143°
✓	Burlington		154	1300	95	35			0	450
✓	Canton		13	149						
	Chatham		64	113	23	0			12	55
✓	Chalmsford		127	679						
✓	Chelsea		51	399						
	Clinton		109	192						
✓	Cohasset		56	110						
	Danvers		66	437						
	Dedham		254	887					0	117
✓	Douglas		6	97						
	Dracut		95	418						
	Duxbury		15	16						
✓	E. Bridgewater		16	92						

* Adult On

LITIES WITHOUT SEPARATE VOCATIONAL SCHOOLS

nsumer & memaking F	Occup. Prep. M	Occup. Prep. F	Office M	Office F	Distribution M	Distribution F	Health M	Health F	Agriculture M	Agriculture F	Special Programs M	Special Programs F
75			17	175	0	16						
43			46	163								
			53	204	21	17	0	8				
			4	193								
2	8	22	22	115								
52			53	165	10	35						
46			11	121								
138			120	278								
238°			28	293								
53			41	157								
			92	211								
115			55	173								
328*			291	776	6°	17°						
			50	191								
	0	56			8	17						
	0	65	0	119	94	63	0	111			66	35
143°	1°	45°	145	652	20°	23°	20°	35°	11°	7°		
450			49	787	10	28						
			13	149								
55			6	52	17	4	0	1	6	1		
			127	679								
			39	392	12	7						
			92	179	17	13						
			47	110	9	0						
			28	394	38	43						
117			248	759	6	11						
			0	86	6	11						
			94	394			1	24				
			15	16								
			16	92								

* Adult Only + Large Portion Adult ° Secondary Only

Member Voc. Reg. '72-73	Locality	Adults and/or Post-Secondary Included	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
	Easthampton		31	134						
	E. Longmeadow		146	324	109	2			0	60
✓	Easton		55	135	15	4			29	54
	Fairhaven		118	160	52	0				
✓	Falmouth	✓	197	543	43*	39*			0	177
✓	Fitchburg		337	997						
✓	Foxborough		25	230						
	Franklin	✓	467	984	353	32			0	586*
✓	Gardner		71	246						
	Georgetown		2	21						
✓	Grafton		196	172	120	6	5	0	0	59
	Granby		113	174					24	63
✓	Groton		31	102						
	Hadley		61	66	43	0				
✓	Hanover		39	122						
✓	Harvard		17	51					1	25
	Harwich		25	66						
	Hatfield		94	85					0	10
	Hingham		72	271						
✓	Holbrook		167	427	67	0				
	Holliston		41	30	15	0				
✓	Hopedale		8	56						
	Hopkinton		18	85						
	Hudson		127	426					21	193
	Hull		23	77						
	Ipswich	✓	149	250	51°	3°	10°	0°	24°	141°
✓	Lawrence		197	276	167	0			0	84
	Lee		41	184					0	149
	Leicester		2	92						
	Lenox		4	61						

er & ting	Occup. Prep.		Office		Distribution		Health		Agriculture		Special Programs	
	M	F	M	F	M	F	M	F	M	F	M	F
			31	134								
60	0	56	37	206								
54			11	77								
	0	11	42	141	9	5					15	3
177			119	306	35°	21°						
			337	997								
	0	64	25	166								
586+	56°	0	43	356	15°	10°						
			71	221	0	25						
			2	21								
59			55	105	16	2						
63			89	111								
			31	102								
	0	42	18	24								
			29	106	4	12					6	4
25			16	26								
	2	8	23	58								
10			94	75								
			72	271								
			100	359			0	68				
			13	30	13	0						
			8	56								
			18	85								
193			101	229	5	4						
			23	77								
141°	1°	0°	41	104	3°	1°					19°	1°
84			30	192								
149			41	135								
			2	92								
			4	61								

Member Voc. Reg. '72-73	Locality	Adults and/or Post-Secondary Included	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
	Lexington		205	522						
✓	Littleton		12	78						
	Longmeadow		50	275						
	Ludlow		57	828					13	281
✓	Lunenburg		112	197					21	159
	Lynnfield		46	64						
✓	Malden		875	1,217	346	7				
	Manchester		8	78						
✓	Mansfield		21	149					0	31
	Marblehead	✓	61	349					4°	112
	Marshfield		92	495						
	Maynard		13	131						
	Medfield		25	81					1	11
	Medway		44	107						
✓	Melrose		17	222						
✓	Methuen		121	492						
✓	Middleborough	✓	168	412	40*	2*			35	110
✓	Milford		130	328						
✓	Millbury		86	112						
	Millis		23	81						
	Milton	✓	100	825					0°	501
	Monson		2	34						
	Montague		101	183						
	Nantucket		5	57					0	11
	Natick		101	346					0	39
	Needham		130	214	91	2			0	23
	New Bedford	✓	32	125						
	Newburyport		35	114					6	27
✓	North Adams		6	168						
	Northampton		108	159						

er & king F	Occup. Prep. M	F	Office M	F	Distribution M	F	Health M	F	Agriculture M	F	Special Programs M	F
	1	52	204	460								
			12	78								
			50	275								
281			44	547								
159			91	38								
			46	64								
			249	1,042	280	168						
			8	78								
31			21	118								
112°			57	237								
	0	141	87	327	5	27						
			13	131								
11			17	56	7	1	0	13				
			44	107								
			17	222								
	16	151	53	288	52	33	0	20				
110			54	258	37	12	2	30				
			120	321	10	7						
			86	112								
			23	81								
501°			100	324								
			2	34								
			101	183								
11			5	46								
39	0	61	48	184	53	62						
23	0	7	38	162	1	7	0	13				
			32	125								
27			21	73	8	14						
			6	168								
			108	159								

Member Voc. Reg. '72-73	Locality	Adults and/or Post-Secondary Included	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
✓	N. Andover		24	245						22
	N. Attleboro		68	197						
	N. Brookfield		48	94						
✓	N. Reading		24	265						
✓	Norton		37	95						
✓	Norwell		3	41						
✓	Oxford	✓	39	392						
	Palmer		19	61	17	0				
	Provincetown		18	69					0	13
✓	Randolph		256	835	187	23			21	410
✓	Reading		80	447					50	373
✓	Revere		42	811					0	69
✓	Rockland		146	553	19	0			15	85
	Rockport		49	41	21	0				
✓	Sandwich		34	94						
✓	Saugus		109	1,146					54	367
✓	Scituate		252	758	52	1				
	Seekonk		6	17						
✓	Sharon		100	424						
	Shrewsbury		63	86	9	0	3	0		
✓	Somerset		0	76						
	Southwick		19	127						
✓	Stoneham	✓	306	648	19°	9°	60°	0°	49°	24°
✓	Stoughton		3	11						
✓	Sutton		7	45						
	Swampscott		75	155						
✓	Swansea		25	133					0	22
✓	Taunton		118	639						
✓	Tewksbury		93	608						
	Tyngsborough		10	58						

mer & aking F	Occup. Prep. M	Occup. Prep. F	Office M	Office F	Distribution M	Distribution F	Health M	Health F	Agriculture M	Agriculture F	Special Programs M	Special Programs F
22			2[illegible]	153								
			68	197								
			4	94					44	0		
			24	265								
			37	95								
			3	41								
			39	392								
			2	61								
13			18	56								
410			48	402								
373			11	57	19	17						
69			38	729	4	13						
85			91	421	21	47						
			28	41								
			34	94								
367			38	760	17	19						
	20	227	180	530								
			0	17	6	0						
	0	190	100	234								
			24	68	27	13	0	5				
			0	76								
			19	127								
24°	18°	14°	64	523	28°	16°	0°	13°			68°	49°
					3	11						
			7	45								
			75	155								
22			25	111								
			119	639								
			75	585	18	23						
			10	58								

Member Voc. Reg. '72-73	Locality	Adults and/or Post-Secondary Included	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
	Uxbridge		91	141	37	1				
✓	Wakefield		296	424	53	14				
✓	Walpole		14	117						
	Ware		61	181					0	79
	Wareham		21	181						
✓	Watertown		149	871	30	11			25	205
	Wayland		191	300						
	Webster	✓	40	417					0	111
✓	Wellesley		524	558	320	95				
	Westborough		13	60						
	W. Boylston		2	68						
	W. Bridgewater		14	201					0	108
✓	Westford		204+	62+						
✓	Weston		16	13						
	Westport		67	103	55	9			0	52
✓	W. Springfield		175	356						
	Westwood		34	176						
✓	Wilmington		89	528						
✓	Winchendon		48	178	6	3			3	53
✓	Winchester		45	154						
✓	Winthrop		36	311						
✓	Woburn		343	573						
✓	Worcester	✓	963	4,645					0°	845°
	TOTAL		15,121	45,828	3,943	368	78	0	563	7,569

	Occup. Prep.		Office		Distribution		Health		Agriculture		Special Programs	
	M	F	M	F	M	F	M	F	M	F	M	F
	4	35	37	177								
	8	8	192	387	41	10	2	5				
			14	117								
9			61	102								
			21	181								
5	0	66	81	582	13	7						
			191	300								
1			40	306								
	0	54	164	367	40	42						
			13	60								
			2	68								
8			14	93								
			204+	62+								
			16	13								
2			1	42					11	0		
			146	322	29	34						
	4	141	0	24							30	11
	0	19	89	509								
3			39	122								
			45	154								
			19	270	17	9	0	32				
			315	556	28	17						
5°	0°	1,942°	325°	1,425°	569	426			55°	7°	14°	0°
9	141	3,477	8,319	32,498	1,707	1,420	25	378	127	15	218	103

SCHOOL REGIONS WITH SEP

Region	Adults &/or Post-Sec. Incl.	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
Berkshire Hills		96	3			61	0		
Dighton-Rehoboth		145	442	64	0				
Freetown-Lakeville		92	288	31	32			46	77
King Phillip	✓	192	36	171	3°			0	20°
Silver Lake		404	715	212	0			0	209
Tantasqua	✓	173	158	155	1°			13°	120°
TOTAL		1,102	1,642	633	36	61	0	59	426

° Secondary Only

S WITH SEPARATE VOCATIONAL SCHOOLS

sumer & emaking F	Occup. Prep. M	F	Office M	F	Distribution M	F	Health M	F	Agriculture M	F	Special Programs M	F
									0	2	35	1
			63	416			18	26				
77			12	168								
20°			2°	12°			19°	1°				
209	19	7	117	451			18	36			38	12
° 120°			5°	37°								
426	19	7	199	1,084			55	63	0	2	73	13

Adults &/or Post-Sec. Incl.

SCHOOL REGIONS WITH

Region	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
Amherst-Pelham	78	78	73	2			4	4?
Ashburnham-Westminster	3	45						
Athol-Royalston	34	209					0	66
Berlin-Boylston	33	73						
Blackstone-Millville	6	78						
Bridgewater-Raynham	35	312					4	64
Central Berkshire	57	170	31	0			0	40
Concord-Carlisle	1	354						
Dennis-Yarmouth	531	499	374	22			35	97
Dover-Sherborn	13	13	12	0				
Dudley-Charlton	9	66					0	16
Nauset	7	155					1	57
Frontier	7	69						
Gateway	1	17						
Hamilton-Wenham	26	39	21	17				
Hampden-Wilbraham	168	231	127	19			25	109
Hampshire	71	28						
Lincoln-Sudbury	76	220						
Martha's Vineyard	71	58	62	8				
Masconomet	144	384	59°	21°			0	104°
Mendon-Upton	23	92						
Mount Greylock	5	100						
Mohawk Trail	317	318	135	12			89	129
Narragansett	30	168					0	34
Nashoba	96	192	62	10			0	71
Northboro-Southboro	119	457					53	21
North Middlesex	0	78						

° Secondary Only

GIONS WITHOUT SEPARATE VOCATIONAL SCHOOLS

sumer & emaking	Occup. Prep.		Office		Distribution		Health		Agriculture		Special Programs	
F	M	F	M	F	M	F	M	F	M	F	M	F
42			1	33								
			3	45								
66			34	143								
			33	73								
			6	78								
64			31	248								
40			26	130								
	0	267	1	87								
97			122	380								
			1	13								
16			9	50								
57			6	98								
			7	69								
			1	17								
			0	12	5	10						
109	0	12	16	77	0	23						
			71	28								
			76	220								
			0	50								
104°	5°	54°	65	179	14°	16°	1°	10°				
			23	92								
			5	100								
129			83	170	10	7						
34			30	134								
71			34	111								
21			66	436								
			0	78								

Region	Adults &/or Post-Sec. Incl.	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
Old Rochester		328	270	206	36			30	30
Pentucket		14	188						
Pioneer Valley		16	79						
Plymouth Carver		140	382	29	0				
Quabbin		27	129					0	43
Ralph C. Mahar		128	252	69	0				
Southern Berkshire		73	57	73	0				
Spencer-E. Brookfield		70	234						
Wachusett		161	253	15	0			0	20
Warren-W. Brookfield		82	241	19	2			32	60
Whitman-Hanson	✓	89	624	22*	0			0	22
Total		3,089	7,221	1,389	140			283	1,136

° Secondary Only

sumer & emaking F	Occup. Prep. M	Occup. Prep. F	Office M	Office F	Distribution M	Distribution F	Health M	Health F	Agriculture M	Agriculture F	Special Programs M	Special Programs F
[illegible]			1[illegible]	84	63	19						
			14	188								
			16	79								
			111	382								
43			27	86								
			59	252								
			0	57								
			70	234								
20			91	229						55		4
60			31	179								
22°			50	583	16°	12°		1°	7°			
1,136		5	333	1,247	5,504	108	87	2	17	55		4

ry Only * Adult Only

School	Adult &/or Post-Sec. Incl.	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
Bay Path		643	94	572	23				
Blackstone Valley	✓	987	3	987	3				
Blue Hills	✓	1,075	239	914	65	111	1*		
Bristol-Plymouth	✓	535	128	525	61				
Diman	✓	1,560	613*	1,542	407*				
Lawrence	✓	1,987	461	1,950	188			0	74
Charles H. McCann	✓	513	162	489	0				
Montachusett	✓	1,026	451	919	59			1°	51°
Nashoba Valley	✓	1,174	355	1,107	148	23*	0	0	13°
Northeast Metro.	✓	1,410	329	1,335	96			11°	9°
Shawsheen	✓	894	225	860	40	28	10		
Southeastern	✓	1,476	261	1,370	73	59	22		
South Shore	✓	511	0	511	0				
Upper Cape Cod	✓	534	154	532	85				
TOTAL		14,325	3,475	13,613	1,248	221	33	12	147

° Secondary Only * Adult and/or Post

OCATIONAL-TECHNICAL HIGH SCHOOLS

mer & aking F	Occup. Prep. M	F	Office M	F	Distribution M	F	Health M	F	Agriculture M	F	Special Programs M	F
	26	35	30	29								
			44*	64*	3°	11°	3*	98				
			8*	6*			2*	61				
			13*	63*			3*	143*				
74			26	124	5°	10°	6*	65*				
			5	60	17	41	2*	61*				
51°	39	27	42	67			25	247				
13°	0	12	36	119	8	18	0	15°	0	30*		
9°	0	35°	52	77			12	112				
			0	163	6°	12°						
			2*	5*			1	161			44	0
							2*	69*				
147	65	109	248	777	39	92	58	1,032	25	37	44	0

or Post-Secondary Only

INDEPENDENT

School	Adults &/or Post-Sec. Incl.	Total M	Total F	Trades & Industry M	Trades & Industry F	Technical M	Technical F	Consumer & Homemaking M	Consumer & Homemaking F
Lawrence Voc.	✓	5*	255*					5*	255*
Lynn Indust. Shoe	✓	76	21	76	21				
New Bedford Voc.	✓	990	222°	990	0			0	120°
Northampton-Smith	✓	390	69	333	0			0	39°
Worcester Trade Comp.	✓	2,422	1,423	1,582	79	275*	46*	0	527
TOTAL:		3,883	1,990	2,981	100	275	46	5	941

° Secondary Only * Adult and/or Post-Secondary Only

PENDENT TRADE SCHOOLS

mer & naking F	Occup. Prep. M	F	Office M	F	Distribution M	F	Health M	F	Agriculture M	F	Special Programs M	F
255*												
120°	0	90°					0	12°				
39°							1	29	56	1		
527	0	106			321	447	244	218				
941	0	196			321	447	245	259	56	1		

y Only

APPENDIX B: DOCUMENTS

LEXINGTON HIGH SCHOOL

OCCUPATIONAL INTEREST QUESTIONNAIRE FOR STUDENTS OF GRADE 12

Note: Lexington is studying the possibility of joining with other towns in this area to form a regional technical-vocational high school. It would help if you would answer the questions below. DO NOT SIGN YOUR NAME but indicate if you are MALE ☐ OR FEMALE ☐ .

A. I have been admitted to or plan to attend a four-year college. ☐

B. I have been admitted to or plan to attend a two-year college, or go on to other formal education, non-technical in nature. ☐

C. I have been admitted or or plan to attend a technical institute, go on to other formal education, technical in nature. ☐

D. I am not going on to higher education but will enter the job market, armed forces, etc. ☐

Note: If you checked C or D above, please also check one or more of the following:

1. My training in high school was adequate preparation for the work that I plan to do. ☐

2. I feel that some additional technical-vocational training such as that checked (✓) below could have been helpful. ☐

Auto Body *(B)		Machine Shop (B)	
Beauty Culture (Cosmetology) (B&G)		Merchandising (B&G)	
Carpentry and Millwork (B)		Metal Fabrication - Inc. Sheet Metal & Welding (B)	
Date Processing (B&G)		Plant Maintenance (B)	
Dental Assistant (G)		Plumbing (B)	
Drafting & Design (B&G)		Power Mechanics - Inc. Automotive, Diesel, Small Engines (B)	
Electrical - Inc. Major & Minor Appliances (B&G)		Practical Nursing (G)	
Electronics (B&G)		Technical Illustrating & Commercial Art (B&G)	
Food Trades (B&G)		Upholstery (B)	
Graphic Arts (Printing) (B&G)		Other (B&G)	
Laboratory Technician (B&G)			

*Letter in parenthesis following course indicates whether course is offered to "B" for "Boy" or "G" for "Girl."

DRAFT: for discussion
purposes only.

RECOMMENDATIONS PERTAINING TO ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

October 10,1973

RECOMMENDATIONS PERTAINING TO ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

The Board of Education, recognizing its responsibility under Chapter 622 of the Acts of 1971, hereby commits itself to providing leadership, supporting services and, where necessary, requiring activities that will enhance the implementation of this legislation on the part of all persons and institutions directly participating in the system of public elementary and secondary education in the Commonwealth.

In meeting this committment, the Board believes that an intensive and comprehensive program must be initially launched within the Department of Education so that all employees, regardless of position, will be imbued with an understanding of why this legislation was necessary and what benefits will be achieved by its implementation. It is the opinion of the Board of Education that the fullfillment of the Educational Goals program (see Appendix) rests in large measure on the full realization of this statute.

The Commissioner shall nominate, and the Board appoint, an Advisory Committee on Chapter 622 which will be composed of not more than 11 members, selected from, but not limited to; a cross section of Department of Education staff, representatives of community organizations such as parents, students, teachers, ethnic minorities, local education agencies, women's groups and a member of the General Court. The Commissioner shall be mandated to develop affirmative action programs for the implementation of Chapter 622 for the Department of Education and local education agencies, to advise local education agencies on ways of implementing Chapter 622 and to periodically review the Recommendations of the Board pertaining to Chapter 622. The Advisory Committee shall be required to submit an annual report and shall be available to serve as advisors to Department staff who shall be responsible for implementation of Chapter 622 in the Commonwealth. Membership terms of the Committee shall be staggered to assure continuity.

The Commissioner shall develop and submit to the Advisory Committee, and then, with the Committees' recommendation, to the Board, a plan for the implementation of Chapter 622. State Department staff shall be responsible for the implementation of such a plan. This plan shall include but is not limited to:

1. training for all employees in the implications of Chapter 622 and these recommendations and their relationship with local education agencies,

2. review of Department practices as they further or retard the purposes of Chapter 622 and these recommendations,

3. meeting with superintendents, school committees, and principals to explain the policy relating to problems of women, minorities and vocational education, etc. Why there is need for change, how they can implement change, help in development of specifics relating to each system, etc.,

4. developing workshop programs for the above people,

5. developing in-service training programs for teachers which will pinpoint the problems and offer methods to solve the problems (should be credit-granting),

6. holding regional conferences to develop exchange of ideas and awareness of each other's programs,

7. arranging conferences which bring together leaders of minority groups, major employers, feminists and school personnel to help them to define their relationships,

8. helping to bring about major changes in materials and textbooks that are discriminatory, and in teacher training institutions.

1. INTRODUCTION

The Board of Education hereby promulgates recommendations pertaining to the enforcement of the following statutes relating to the operation of the public schools:

Chapter 76, Section 5 - Every child shall have a right to attend the public schools of the town where he actually resides, subject to the following action. No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, sex, color, religion or national origin.

Chapter 76, Section 16 - The parent, guardian or custodian of a child refused admission to or excluded from the public schools or from the advantages, privileges and courses of study of such public schools shall on application be furnished by the school committee with a written

statement of the reasons therefor, and thereafter, if the refusal to admit or exclude was unlawful, such child may recover from the town in tort, and may examine any member of the committee or any other officer of the town, upon interrogatories.

These recommendations are issued for the benefit of local school committees and the general public. In conformance with the statutory pattern, enforcement activity in individual cases shall be the responsibility of the aggrieved individuals and the presence of these recommendations shall not be construed to in any way limit the judicial remedies of private parties.

2. SCHOOL ADMISSIONS

a. All public schools in the Commonwealth shall admit students without regard to sex, race, national origin, color or religion. This includes, but is not limited to, regional vocational-technical schools, elementary, secondary, trade, and selective academic high schools.

b. No school may discourage in any express or implied manner, applicants for admission because of race, sex, national origin, color or religion. Therefore, written materials used by a school committee or a school to recruit students for a school or for courses or activities within a school shall not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation in such material shall depict students of both sexes and of minority groups. Peferences to only one sex in the names of schools, programs or activities shall not be retained.

c. Each public school shallmake active efforts to inform the community which it serves that race, sex, national origin, color or religion are not considered as criteria for admission to that school, particularly where past practice, custom or other cause might reasonably be expected to reduce attendance from some class of students.

d. Citizenship of any applicant shall not be considered as a criteria in admission to any public school nor is citizenship to be considered a factor in the assignment or availability of courses of study or extra-curricular activities.

e. Nothing above shall be construed so as to control the interpretation or interfere with the implementation of Chapter 641 of the General Laws, the Massachusetts Act of 1965 providing for the elimination of racial imbalance in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

3. ADMISSION TO COURSES OF STUDY

a. Each and every course of study offered by a public school shall be open and available to students regardless of their race, sex, nation origin, color or religion.

b. The determination of what courses or units of study are to be required of any students shall also be made without regard to the race, sex, national origin, color or religion of that student.

c. Each public school shall make active efforts to inform the community which it serves and its student body that race, sex, national origin, color or religion are not considered as criteria for admission to any course of study in that school.

d. Every child, regardless of race, sex, national origin, color or religion or of limited English-speaking ability, shall have equal rights of access to courses of study within the public schools of the city or town in which he or she resides, through grades K-12, along with appropriate remedial and bilingual instruction and programs and other supportive services at all such levels of schooling, based upon the special needs and abilities of such child, which upon completion will prepare such child for further academic study, equip such child with a marketable skill or both.

e. If participation in a class, course, or program is dependent upon the participation in or completion of courses or programs which were previously limited to students of one sex, or if close scrutiny reveals that access mechanisms or other administrative arrangements have illegally or unfairly limited the opportunities of any class of students to participate in such programs, then an opportunity shall be made available to previously excluded groups

to acquire the prerequisites. For instance, if entrance into a course sequence in "Child Development" is dependent upon completion of at least one year of a course in "Homemaking Education" which was previously open only to girls, boys interested in taking the "Child Development" course shall be allowed to do so, and the appropriate department shall undertake a review to determine what, if any, segments of it are essential to success in attaining the objectives of the "Child Development" course, and shall offer those segments in a way which will enable the male student to take the "Child Development" Course and complete his school program on schedule. If it cannot be shown that the prerequisite course program is essential for success in a given program, the prerequisite shall be abolished.

4. GUIDANCE

a. Guidance Counsellors and other school personnel shall be trained and encouraged to represent to the students as broad a spectrum of education and career opportunities as possible for a given student. Race, sex, color, national origin and religion shall not be considered as limiting factors in career determination.

b. "Career Day" programs and other occupational information shall include representatives of both sexes in a variety of occupations and shall present minority group members in a broad variety of occupational roles. Schools shall not permit materials to be used to recruit students for employment and training that do not eliminate all references to sex, race, color, national origin or religion. Any pictorial representation in such materials shall depict members of both sexes and minority groups.

c. No guidance materials or tests shall be employed which exclude boys or girls from considering certain occupations or which provide different occupational scores for males and females. Manuals which suggest that women be guided toward selecting only certain "premarital occupations" shall also be avoided.

5. COURSE CONTENT

a. The content of all public school curriculum shall

reflect affirmative efforts to present in full and fair perspective the history, activities, sensibilities and contributions of persons and groups of divers races, national origins, gender, religions and colors.

b. School books and other educational materials used in the public schools shall include characterizations and situations which depict a broad variety of positive roles by individuals regardless of race, sex, national origin, religion or color. Books and other educational materials shall depict the equality and contributions of all persons regardless of race, sex, color, national origin or religion.

6. EXTRA-CURRICULAR AND ATHLETIC ACTIVITIES

a. Advantages and privileges of public schools include all extra-curricular and athletic activities made available, officially sanctioned, sponsored or supervised by any public school.

b. No child may be denied the opportunity in any implied or explicit manner to participate in any extra-curricular or athletic activity because of the race, sex, national origin, religion or color of that child.

c. The goal of each school shall be to equalize expenditures for male and female students, proportionate to their membership in the student body, for each category of athletic activity e.g., intra-mural and inter-scholastic sports.

d. In order to encourage fair distribution of athletic expenditures, equipment, facilities and instruction, each school shall indicate in its budget the anticipated expenditure for each athletic activity and the anticipated student participation in that activity by sex.

e. Teams composed primarily or solely of persons of one sex shall be granted equal support, instruction, training, coaching, facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the opposite sex.

f. Participation in athletic and extra-curricular activities shallbe actively encouraged by each school

for both boys and girls and for racial and ethnic minorities. When offering athletic and extra-curricular programs schools shall take into consideration the ethnic, cultural, and social traditions of the student body. Unreasonable criteria for participation in specific athletic or extra-curricular activities which act to exclude members of one sex or of any racial or ethnic group represented in the school cannot be permitted.

g. Each school shall make active efforts to notify all students and their parents in their primary language that all school connected athletic and extra-curricular activities are by law open and available to children regardless of their race, sex, national origin, religion or color.

7. ACTIVE EFFORTS

a. The superintendent of each school system shall regularly examine the total system of access to each school within the district and shall take any necessary affirmative action, and adopt any necessary changes to insure that all obstacles to equal access for all persons regardless of race, sex, color, national origin or religion, no matter how subtle or unintended, are removed. Special care shall be taken when information or evidence indicates the absence or the markedly disproportionate enrollment in any school of students of either sex, or of any racial, national or religious group present within the community which the school serves.

b. The superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of the law and of its implications. Such notice shall include the information that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, sex, national origin, color or religion. (see Appendix for sample notice)

c. The superintendent shall inform the community of the existence of the law and of its implications through newspaper releases and radio and television announcements. (see Appendix for sample press release)

d. The superintendent of each school system shall make

certain that employers who recruit new employees in and through the school of that district, do not discriminate in their employment practices. Before any employer is allowed to recruit at or through any school the employer shall be required to sign a statement that he/she does not discriminate in hiring or employment practices on account of race, sex, color, national origin, or religion.

e. Any contributions to the school for activities within or sponsored by the school or for any other purpose made by any persons, group or organization shall be free from any restrictions based upon race, color, sex, national origin or religion. For example, a school or school system may not properly accept and administer a scholarship fund solely for boys.

f. It shall be the responsibility of the School Committee and the superintendent to provide necessary information and in-service training for all school personnel in order to:

advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion and national origin.

enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior which may occur in the public schools.

g. The principal of each school shall regularly examine the system of access to each course of study, advantage and privilege provided within the school and shall take any necessary affirmative action and adopt any necessary changes to insure that all obstacles to equal access for all students regardless of race, color, sex, religion or national origin no matter how subtle or unintended are removed. Special care shall be taken when information or evidence indicates the absence or the markedly disproportionate participation of students of either sex or of any racial, national or religious group present in the school, in any course of study, advantage or privilege offered by or through the school.

h. The principal of each school will inform students in a manner certain to reach all students, of the existence of the law and of its implications. The principal will inform them that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, sex,

color, national origin or religion.

i. Department heads and teachers shall regularly examine the enrollment for each course under their jurisdiction. Whenever there appears an absence or markedly disproportionate participation in any class of a racial, national, sex, religious or other group, the department head or teacher shall report this to the principal and the appropriate and immediate steps shall be taken to re-emphasize to the group of students eligible to take the course, that the course in open to all students regardless of race, sex, color, national origin or religion. The department head and teachers shall also carefully review the total system of access to the course and the course content to determine if either unnecessarily discourages participation by any group. Any obstacle to equal access or participation must be removed.

j. Department heads and teachers shall regularly scrutinize all classroom procedures and practices to determine if any group of students are discriminatorily classified or identified by the teacher either by words or action. Discriminatory epithets or references to members of either sex or of any racial, national or religious group shall not be used. Duties or privileges shall be distributed among the students without regard for sex, race, color, national origin or religion.

k. School personnel engaged in directing, coaching, or assisting in athletic or extra-curricular activities shall regularly examine the enrollment for each activity under their jurisdiction. Whenever there appears an absence or markedly disproportionate participation in any activity by persons of either sex or of any racial, national or religious group found in the school, the school personnel attached to the activity shall report this to the principal and appropriate and immediate steps shall be taken to re-emphasize to the group of students eligible to participate in the activity, that the activity is open to students without regard to race, sex, national origin, religion or color. Qualifications for participation shall also be carefully reviewed to see if they unnecessarily act to exclude a certain group of students. For example, unnecessary height requirements might effectively exclude participation by some groups in a particular athletic activity.

l. Guidance counsellors and other school personnel providing students services within a school shall be certain that they are serving members of both sexes and of all races, nationalities and religions found in the school. Guidance counsellors or other persons providing student services shall regularly make certain that the students are aware that their services are available to all students.

m. When hiring, promoting, assigning or reassigning personnel within a school system or any of its units, school authorities shall consider, to the extent consistent with their contractural obligations, that adults serve as role models for students. Therefore, authorities shall whenever possible utilize adults in a variety of jobs and activities to demonstrate that they can be performed by any person without regard to his or her race, color, sex, religion or national origin.

RECOMMENDATIONS PERTAINING TO ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Chapter 622, Acts of 1971

Prepared by: The Ad Hoc Committee for Chapter 622
Geraldine Pleshaw, Chairwoman

March 26, 1974

The Commonwealth of Massachusetts
Department of Education
182 Tremont Street
Boston, 02111

GREGORY R. ANRIG
COMMISSIONER OF EDUCATION

June 5, 1974

MEMORANDUM TO: Superintendents of Schools
Members of School Committees
Principals
Other Interested Persons

RE: Recommendations for Implementation of Chapter 622 of the Acts of 1971 in School Districts of the Commonwealth

A year ago the State Board of Education appointed an ad hoc committee to prepare recommendations to guide school districts in the implementation of Chapter 622 of the Acts of 1971. This law prohibits discrimination on the basis of race, color, sex, religion or national origin with regard to admissions to public schools and to the benefits, privileges, and courses of study available.

On March 26, 1974, the Board of Education adopted the enclosed Recommendations. They are the result not only of the ad hoc committee's deliberations but of public hearings held in three parts of the state in January and careful consideration by the Board itself. Also enclosed as part of the Recommendations is a copy of Chapter 622 of the Acts of 1971.

It is important to be clear regarding the intent of these Recommendations. Chapter 622 is law and has been for three years. The Board of Education and school committees are subject fully to its provisions. These Recommendations are intended to help school officials understand the implications of this statute. The Law, however, is directly enforceable in the courts by a child's parent or guardian, and is enforceable now.

The Recommendations enclosed are to provide school districts with a means to examine existing practices and to initiate corrective action immediately where called for under the Law. In its action adopting the Recommendations, the Board called for a thorough review of the status of Chapter 622 implementation in March 1975. At that time, the Board will consider issuing the Recommendations as formal regulations. It is my judgment, expressed at the March 26, 1974 Board meeting, that such action will be necessary and appropriate.

I urge all school officials to act now in conducting a thorough review of school district practices on a basis of the Chapter 622 Recommendations and in taking corrective action as necessary. Technical assistance will be available from the Department of Education's Bureau of Equal Educational Opportunities and from each Regional Center of the Department. We also are in the process of forming regional advisory committees for Chapter 622 which will be providing information on the Law's implementation in your area.

In a democracy, public education has a special obligation to demonstrate leadership in the area of respect for individual rights. This Law and the enclosed Recommendations pose a challenge to educators in the Commonwealth which must be met.

Gregory R. Anrig
Commissioner of Education

GRA:a
Enclosure

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AD HOC COMMITTEE FOR CHAPTER 622

Members

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PREFACE

The Board of Education, recognizing its responsibility under Chapter 622 of the Acts of 1971, hereby commits itself to providing leadership, supporting services and, where necessary, requiring activities that will enhance the implementation of this legislation on the part of all persons and institutions directly participating in the system of public elementary and secondary education in the Commonwealth.

In meeting this commitment, the Board believes that an intensive and comprehensive program must be initially launched within the Department of Education so that all employees, regardless of position, will be imbued with an understanding of why this legislation was necessary and what benefits will be achieved by its implementation. It is the opinion of the Board of Education that the fulfillment of the Educational Goals program (See Appendix I) rests in large measure on the full realization of this statute.

The Board of Education determines that Regional Advisory Councils or designated sub-committees shall serve as the advisory mechanism for the implementation of Chapter 622. As a first order of business these Councils or sub-committees will be asked to advise the Board on the handling of individual reports and/or complaints regarding Chapter 622 by May 1974.

Although it is the sense of the Board of Education that regulations will eventually be needed for full implementation of Chapter 622, the Board at this time decides to issue recommendations. These recommendations will be reviewed in March, 1975, with the advice of the advisory committees referred to above, and the Board will make decisions regarding modifications and future regulations.

The Commissioner, with the assistance of the advisory committees and within the resources of the Department available for this purpose, shall develop a plan for the implementation of Chapter 622 by the Department of Education and will advise Local Education Agencies on implementing Chapter 622.

The responsibility for overall implementation of a 622 plan will rest with the Department of Education staff. Such a plan shall include but is not limited to:

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1. training for all employees in the implications of Chapter 622 and these recommendations and their relationship with Local Education Agencies.

2. review of Department practices and budget policies as they further or retard the purposes of Chapter 622 and these Recommendations,

3. meeting with superintendents, school committees, and principals to explain the policy relating to problems of women, minorities and vocational education, etc. Why there is need for change, how they can implement change, help in development of specifics relating to each system, etc.,

4. developing workshop programs for the above people,

5. developing in-service training programs for teachers which will pinpoint the problems and offer methods to solve the problems (should be credit-granting),

6. holding regional conferences to develop exchange of ideas and awareness of each other's programs,

7. arranging conferences which bring together leaders of minority groups, major employers, feminists and school personnel to help them to define their relationships,

8. helping to bring about major changes in materials and textbooks that are discriminatory, and in teacher training institutions,

INTRODUCTION

These Recommendations are issued for the benefit of local school committees and the general public. In conformance with the statutory pattern, enforcement activity in individual cases shall be the responsibility of the aggrieved individuals and the presence of these Recommendations shall not be construed to in any way limit the judicial remedies of private parties.

The Board of Education hereby promulgates Recommendations pertaining to the enforcement of the following statutes relating to the operation of the public schools:

Chapter 76, Section 5 - Every child shall have a right to attend the public schools of the town where he actually resides, subject to the following action. No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses or study of such public school on account of race, sex, color, religion or national origin.

Chapter 76, Section 16 - The parent, guardian or custodian of a child refused admission to or excluded from the public schools or from the advantages, privileges and courses of study of such public schools shall on application be furnished by the school committee with a written statement of the reasons therefor, and thereafter, if the refusal to admit or exclude was unlawful, such child may recover from the town in tort, and may examine any member of the committee or any other officer of the town, upon interrogatories.

CHAPTER 622

AN ACT to prohibit discrimination in public schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 76 of the General Laws is hereby amended by striking out section 5, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:

Section 5.

Every child shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.

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Section 2. Section 16 of said chapter 76, as so appearing, is hereby amended by inserting after the word "schools", in line 2, the words:--or from the advantages, privileges and courses of study of such public schools.

Approved August 5, 1971.

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RECOMMENDATIONS

SCHOOL ADMISSIONS

a. All public schools in the Commonwealth should admit students without regard to sex, race, national origin, color or religion. This includes, but is not limited to, regional vocational-technical schools, elementary, secondary, trade, and selective academic high schools.

b. No school may discourage in any express or implied manner, applicants for admission because of race, sex, national origin, color or religion. Therefore, written materials used by a school committee or a school to recruit students for a school or for courses or activities within a school should not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation in such material should depict students of both sexes and of minority groups. References to only one sex in the names of schools, programs or activities should not be retained.

c. Each public school should make active efforts to inform the community which it serves that race, sex, national origin, color or religion are not considered as criteria for admission to that school, particularly where past practice, custom or other cause might reasonably be expected to reduce attendance from some class of students.

d. Citizenship of any applicant should not be considered as a criteria in admission to any public school nor is citizenship to be considered a factor in the assignment or availabilty of courses of study or extra-curricular activities.

e. Nothing above should be construed so as to control the interpretation or interfere with the implementation of Chapter 641 of the General Laws, the Massachusetts Act of 1965 providing for the elimination of racial imbalance in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

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ADMISSION TO COURSES OF STUDY (continued)

sequence in "Child Development" is dependent upon completion of at least one year of a course in "Homemaking Education" which was previously open only to girls, boys interested in taking the "Child Development" course should be allowed to do so, and the appropriate department should undertake a review to determine what, if any, segments of it are essential to success in attaining the objectives of the "Child Development" course, and should offer those segments in a way which will enable the male student to take the program on schedule. If it cannot be shown that the prerequisite course program is essential for success in a given program, the prerequisite should be abolished.

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GUIDANCE

a. Guidance Counsellors and other school personnel should be trained and required to represent to the students as broad a spectrum of education and career opportunities as possible for a given student. Race, color, sex, national origin and religion should not be considered as limiting factors in career determination.

b. "Career Day" programs and other occupational information should include representatives of both sexes and of minority group members in a broad variety of occupational roles. Schools should not permit materials to be used to recruit students for employment and training that do not eliminate all references to race, color, sex, national origin or religion. Any pictorial representation in such materials should depict members of both sexes and of minority groups.

c. No guidance materials or tests should be employed which exclude boys or girls from considering certain occupations or which provide different occupational scores for males or females. Manuals which suggest that women be guided toward selecting only certain "premarital occupations" should also be avoided.

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COURSE CONTENT

a. The content of all public school curriculum should reflect affirmative efforts to present in full and fair perspective the history, activities, sensibilities and contributions of persons and groups of divers races, national origins, gender, religions and colors.

b. School books and other educational materials used in the public schools should include characterizations and situations which depict individuals in a broad variety of positive roles regardless of race, color, sex, religion or national origin.

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EXTRA-CURRICULAR AND ATHLETIC ACTIVITIES

a. Advantages and privileges of public schools include all extra-curricular and athletic activities made available, officially sanctioned, sponsored or supervised by any public schools.

b. No child may be denied the opportunity in any implied or explicit manner to participate in any extra-curricular or athletic activity because of the race, color, sex, religion or national origin of that child.

c. The goal of each school should be to equalize expenditures for male and female students, proportionate to their membership in the student body, for each category of athletic activity e.g., intra-mural and inter-scholastic sports.

d. In order to encourage fair distribution of athletic expenditures, equipment, facilities and instruction, each school should indicate in its athletic budget the anticipated expenditure for each athletic activity and the anticipated student participation in that activity by sex.

e. Teams composed primarily or solely of persons of one sex should be granted equal support, instruction, training, coaching, facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the opposite sex.

f. Participation in athletic and extra-curricular activities should be actively encouraged by each school for both boys and girls and for racial and ethnic minorities. When offering athletic and extra-curricular programs schools should take into consideration the ethnic, cultural, and social traditions of the student body. Unreasonable criteria for participation in specific athletic or extra-curricular activities which act to exclude members of one sex or of any racial or ethnic group represented in the school cannot be permitted.

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EXTRA-CURRICULAR AND ATHLETIC ACTIVITIES (continued)

g. Each school should make active efforts to notify all students and their parents in their primary language that all school connected athletic and extra-curricular activities are by law open and available to children regardless of their race, sex, national origin, religion or color.

ACTIVE EFFORTS

a. The superintendent of each school system should regularly examine the total system of access to each school within the district and should take any necessary affirmative action, and adopt any necessary changes to insure that all obstacles to equal access for all persons regardless of race, sex, color, national origin or religion, no matter how subtle or unintended, are removed. Special care should be taken when information or evidence indicates the absence or the markedly disproportionate enrollment in any school of students of either sex, or of any racial, national or religious group present within the community which the school serves.

b. The superintendent of each school system should be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of the law and of its implications. Such notice should include the information that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, sex, national origin, color or religion. (See Appendix II, Sample Notice to Superintendents)

c. The superintendent should inform the community of the existence of the law and of its implications through newspaper releases and radio and television announcements. (See Appendix III, Sample Press Release)

d. The superintendent of each school system should make certain employers who recruit new employees in and through the school of that district, do not discriminate in their employment practices. Before any employer is allowed to recruit at or through any school the employer should be required to sign a statement that he/she does not discriminate in hiring or employment practices on account of race, color, sex, religion or national origin. (See Appendix IV, HEW Assurance Form)

e. Any contributions to the school for activities within or sponsored by the school or for any other purpose made after the effective date here, by any persons, group or

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ACTIVE EFFORTS (continued)

e. organization should be free from any restrictions based upon race, color, sex, religion or national origin unless the clear purpose of the restriction is to remedy a prior discrimination.

f. It should be the responsibility of the School Committee and the Superintendent to provide necessary information and in-service training for all school personnel in order to:

advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion or national origin.

enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior which may occur in the public schools.

g. The principal of each school should regularly examine the system of access to each course of study, advantage and privilege provided within the school and should take any necessary affirmative action and adopt any necessary changes to insure that all obstacles to equal access for all students regardless of race, color, sex, religion or national origin no matter how subtle or unintended are removed. Special care should be taken when information or evidence indicates the absence or the markedly disproportionate participation of students of either sex or of any racial, national or religious group present in the school, in any course of study, advantage or privilege offered by or through the school.

h. The principal of each school should inform students in a manner certain to reach all students, of the existence of the law and its implications. The principal should inform them that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, sex, color, national origin or religion.

ACTIVE EFFORTS (continued)

i. Department heads and teachers should regularly examine the enrollment for each course under their jurisdiction. Whenever there appears an absence or markedly disproportionate participation in any class of a racial, national, sex, religious or other group, the department head or teacher should report this to the principal and appropriate and immediate steps should be taken to reemphasize to the group of students eligible to take the course, that the course in open to all students regardless of race, sex, color, national origin or religion. The department head and teachers should also carefully review the total system of access to the course and the course content to determine if either unnecessarily discourages participation by any group. Any obstacle to equal access or participation must be removed.

j. Department heads and teachers should regularly scrutinize all classroom procedures and practices to determine if any group of students are discriminatorily classified or identified by the teacher either by words or action. Discriminatory epithets or references to members of either sex or of any racial, national or religious group should not be used. Duties or privileges should be distributed among the students without regard for sex, race, color, national origin or religion.

k. School personnel engaged in directing, coaching, or assisting in athletic or extra-curricular activities should regularly examine the enrollment for each activity under their jurisdiction. Whenever there appears an absence or markedly disproportionate participation in any activity by persons of either sex or of any racial, national or religious group found in the school, the school personnel attached to the activity should report this to the principal and appropriate and immediate steps should be taken to re-emphasize to the group of students eligible to participate in the activity, that the activity is open to students without regard to race, sex, national origin, religion or color. Qualifications

ACTIVE EFFORTS (continued)

for participation should also be carefully reviewed to see if they unnecessarily act to exclude certain group of students. For example, unnecessary height requirements might effectively exclude participation by some groups in a particular athletic activity.

l. Guidance counsellors and other school personnel providing student services within a school should be certain that they are serving members of both sexes and of all races, nationalities and religions found in the school. Guidance counsellors or other persons providing student services should regularly make certain that the students are aware that their services are available to all students.

m. When hiring, promoting, assigning or reassigning personnel within a school system or any of its units, school authorities should consider, to the extent consistent with their contractural obligations, that adults serve as role models for students. Therefore, authorities should whenever possible utilize adults in a variety of jobs and activities to demonstrate that they can be performed by any person without regard to his or her race, color, sex, religion or national origin.

n. A copy of the draft "Notice of Students' Rights to Equal Educational Opportunity" (See Appendix V) should be posted on the main public bulletin board in each school and in the administrative office of each school system.

APPENDIX I: Chapter 622 and the Educational Goals for Massachusetts

In September 1971, the Massachusetts Board of Education published "Educational Goals for Massachusetts." In keeping with the Board's concern for educational excellence, this broad but flexible set of educational aims is designed to shape the pattern of leadership and service to learners.

The ten educational goals for the Commonwealth of Massachusetts address themselves to the true meaning of quality in education. They are relevant to the lives of learners of any age whether they are in formal institutions of learning, in programs of continuing education, or in any environment where learning is taking place. Each learner who has the potential and inner strength should strive toward the ideal implicit and explicit in each goal.

In the Board of Education's concern for the implementation of Chapter 622, the following educational goals are especially relevant and directly applicable to the recognized need for allowing each individual student full access to all educational opportunities in the public schools of the Commonwealth.

Goal 1: Physical and Emotional Well-Being

Education should contribute to the learner's physical and emotional well-being, especially to a sense of personal worth and to a capacity for influencing one's own destiny.

Goal 3: Effective Uses of Knowledge

Education should provide for each learner access to humanity's cultural heritage, stimulate intellectual curiosity, and promote intellectual development.

Goal 4: Capacity and Desire for Lifelong Learning

Education should foster and stimulate in each learner the natural desire for lifelong learning and should develop the skills necessary to fulfill that desire.

APPENDIX I (continued)

Goal 5: Citizenship in a Democratic Society

Education should provide each learner with a knowledge and understanding of how our society functions in theory and in practice; education must also foster individual commitment to exercise the rights and responsibilities of citizenship and to protect the rights of others.

Goal 7: Occupational Competence

Education should provide the learner with the skills, experience and attitudes, and the guidance for initial job placement; it is equally important for the learner to develop a capacity to adapt to changing conditions.

Goal 9: Individual Values and Attitudes

Education should expand and advance the humane dimensions of all learners, especially by helping them to identify and cultivate their own spiritual, moral and ethical values and attitudes.

A section entitled "Pathways" presents seven aspects of the educational system with which education should be concerned in order to create a total environment for the learner.

Through "Pathways" the Board suggested that schools should:

* Accord dignity to the learner by respecting them as people; by individualizing instruction in a manner which allows them to work according to their ability and to satisfy their need to succeed by encouraging them to develop their own value system which is tempered with a sensitivity to their obligations to others; by freeing their creative nature; and by aiding them to develop their thought processes in a realistic atmosphere.

* Encourage use of the physical and personnel resources of the surrounding geographical area and eliminate or reduce time and place restrictions and constraints which inhibit student progress.

APPENDIX I (continued)

* Expand the role of the teacher from that of a transmitter of knowledge and information to that of a facilitator of and partner in learning, possessing the competence for the necessary tasks.

* Understand how the teacher in personal interaction with students influences their well-being and their personal values.

* Recognize the crucial nature of the supportive role of administrators in working with teachers.

* Supply, in coordination with local, regional, state and federal agencies, those supportive pupil personnel services needed to foster individual development and to contribute to the social welfare, particularly those services related to mental and physical health.

* Respond to the needs and concerns of all the people while working toward a student-centered educational process and seek broad support--financial and otherwise--to the fulfillment of this end.

"Pathways" are fully consistent with and supportive of the aim of Chapter 622--promoting equal educational opportunity for all students in the Commonwealth.

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APPENDIX II: Sample Letter From Superintendents

Dear Parent:

An important piece of legislation affecting the public schools was passed in August 1971. This law, Chapter 622 of the General Laws, Acts of 1971, is referred to as "An Act to Prohibit Discrimination in the Public Schools." The law reads as follows:

> No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.

This law makes it clear that all aspects of public school education must be fully open and available to members of both sexes and of minority groups. No school may exclude a child from any course, activity, service or resource available in that public school on account of race, color, sex, religion or national origin of such child.

The State Board of Education has recently developed and promulgated Recommendations to school districts to assist school administrators to implement and comply with Chapter 622. The Recommendations are addressed to five areas of school policy affected by the law: school admissions, admission to courses of study, guidance, course content and extra-curricular and athletic activities.

If this law is to become truly effective, we will need your support and assistance to insure that the intent, as well as the letter of the law is carried out for all our children in our schools.

If you have any questions or concerns regarding Chapter 622 and how it affects your children, please do not hesitate to contact your local principal or my office.

Sincerely yours,

Superintendent of Schools

APPENDIX III Sample News Release

Parents of all school children will be interested in the progress of Chapter 622 of the General Laws which prohibits discrimination in the public schools of the Commonwealth. The law states:

> No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges or courses of studv of such public school on account of race, color, sex, religion or national origin.

The State Board of Education has recently developed Recommendations to school districts to assist school administrators in implementing and complying with Chapter 622. The Recommendations are addressed to five areas of school activities: school admissions, admission to courses of study, guidance, course content and extra-curricular and athletic activities. In addition, a section entitled "active efforts" outlines recommended steps for school administrators to follow to comply with the law.

Parents and students should be aware that all students are entitled to equal treatment, advantages and access to schools and school programs with this law. For further information about this law or if you feel a student has been denied an equal access to opportunities in the school district, contact your local principal, school superintendent or the regional office of the Massachusetts Department of Education in your area.

APPENDIX IV: ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE REGULATION UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

_____ (hereinafter called the "Applicant")
(Name of Applicant)

HEREBY AGREES THAT it will comply with title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to that title, to the end that, in accordance with title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Department; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant by the Department, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Applicant for the period during which the Federal financial assistance is extended to it by the Department.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant by the Department, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Applicant.

Dated _____ _____
(Applicant)

By _____
(President, Chairman of Board, or comparable authorized official)

_____

_____
(Applicant's mailing address)

HEW-441
(12-64)

APPENDIX V: Notice of Students' Rights to Equal Educational Opportunity

Persuant to Chapter 622, Massachusetts Acts of 1971, and the Recommendations issued by the Massachusetts Board of Education.

> No child may be excluded from any school nor prohibited or discouraged from participating in any course, activity, or resource available in such school on account of race, sex, color, national origin or religion.

ERIC 228

May 10, 1974

The undersigned members of the Ad Hoc Committee for Chapter 622 disagree with the Board of Education's decision to phrase the Recommendations in nonmandatory language. The state laws which define each school child's right to equal educational opportunity without regard to race, color, sex, religion or national origin *prohibit* discrimination by a public school as to admissions and as to the benefits, privileges and courses of study available. Our committee undertook to identify and articulate the particular ways in which legally prohibited discrimination might occur in the public schools. We recognize that we may not have uncovered all the wrongful practices. However, we are fully convinced that all of those which are dealt with in the Recommendations are in fact presently unlawful. Our view of the Recommendations is that they are to function to inform local educational agencies of how to bring themselves into compliance with the law. We think it is misleading for the Board of Education to suggest that a public school system has a choice as to whether to put itself into compliance with the relevant Massachusetts laws or that a system need not move to do so immediately. We believe that the Recommendations accurately state what is not required under Massachusetts law and they should be responded to as such.

Geraldine Pleshaw, Chairwoman
Ad Hoc Committee

Joan Flannigan
President, MTA

Regina Healy
Commissioner, MCAD

Constance Kaufman
Aide, Committee on Education

Ralph Lord
P.E. Dept., Lexington H.S.

Douglas Scherer
Commissioner, MCAD

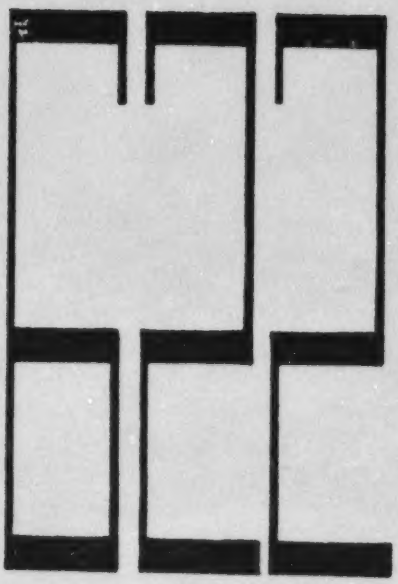
Helen Sherwood
League of Women Voters

Nancy Weiger
Student, Sharon High School

Julia Wan
National Organization for Women

Diane Lund
Attorney

Organizations listed for identification purposes only



CHAPTER 622 OF THE ACTS OF 1971

An Act to Prohibit Discrimination in Public Schools

Chapter 622 of the Acts of 1971 is now codified in the Massachusetts General Laws as Chapter 76, Section 5, and Chapter 76, Section 16. These sections state:

Chapter 76, Section 5 (as amended)

Every person shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.

Chapter 76, Section 16

The parent, guardian or custodian of a child refused admission to or excluded from the public schools or from the advantages, privileges and courses of study of such public schools shall on application be furnished by the school committee with a written statement of the reasons therefor, and thereafter, if the refusal to admit or exclusion was unlawful, such child may recover from the town in tort, and may examine any member of the committee or any other officer of the town, upon interrogatories.

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Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity were adopted by the Massachusetts Board of Education on June 24, 1975 and became effective on September 1, 1975

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GREGORY R. ANRIG
COMMISSIONER OF EDUCATION

The Commonwealth of Massachusetts
Department of Education
182 Tremont Street, Boston 02111

MEMORANDUM:

School Committee Chairmen
School Committee Members
Superintendents of Schools
Principals
Other Interested Persons

In March, 1974, the state Board of Education issued advisory recommendations for the implementation of Chapter 622 of the Acts of 1971. The act states:

> ...No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.

Four years after the passage into law of Chapter 622 and on the recommendations of broadly representative regional advisory committees, the state Board of Education adopted the enclosed regulations for Chapter 622 at its June 24, 1975 meeting.

Extensive consultation with interested groups across the state preceded the adoption of these regulations. Three public hearings were held in Cambridge, Springfield and West Boylston and numerous written communications were received subsequent to these hearings. The complete transcript of testimony from the hearings and all letters from concerned individuals and groups were conveyed to the state Board and became part of the final review of the proposed regulations. Substantial revisions were made as a result of these various communications. The testimony and letters provided excellent assistance in clarification and modification of the proposed regulations, resulting in the final document as adopted.

In accordance with the vote to adopt the Chapter 622 regulations, they will be reviewed by the Board of Education one year following their effective date.

Technical assistance is available to school districts and to citizens from the Department of Education's Bureau of Equal Educational Opportunity, as well as from each regional education center of the Department.

I believe these regulations represent an important step forward in assuring equal educational opportunity for all students in the public schools of the Commonwealth. I urge you to do all in your power to carry out the spirit and intent of Chapter 622 of the Acts of 1971 and of these regulations.

Gregory R. Anrig

Gregory R. Anrig
Commissioner of Education

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PURPOSE

1.00 PURPOSE AND CONSTRUCTION OF THESE REGULATIONS

1.01 These Regulations are promulgated to insure the right of access to the public schools of the Commonwealth and the equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools without regard to race, color, sex, religion or national origin. These Regulations shall be liberally construed for these purposes.

1.02 The obligation to comply with these Regulations is not obviated or alleviated by any local law or rule or regulation of any organization, club, athletic or other league or association which would limit the eligibility or participation of any student on the basis of race, color, sex, religion or national origin.

2.00 SCHOOL ADMISSIONS

2.01 All public schools in the Commonwealth shall admit students without regard to race, color, sex, religion or national origin. This includes, but is not limited to regional vocational-technical schools, elementary, secondary, trade and selective academic high schools.

2.02 No school shall discourage in any express or implied manner, applicants for admission because of race, color, sex, religion or national origin. Written materials used by a school to recruit students shall not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation, in the aggregate, in such material shall depict students of both sexes and of minority groups. References to only one sex in the name of schools, programs or activities shall not be retained.

2.03 The national citizenship of any applicant shall not be a criterion for admission to any public school nor shall national citizenship be a factor in the assignment or availability of courses of study or extracurricular activities.

2.04 Any standards used as part of the admissions process, including but not limited to testing, the use of recommendations and interviewing, to any public school (as referred to in 2.01) shall not discriminate on the basis of race, color, sex, religion or national origin. Limited English-speaking ability (as defined by Chapter 71A of the General Laws) shall not be used as a deterrent to or limitation on admissions.

2.05 If admission to any school, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, is dependent upon the participation in or completion of courses or programs which were previously limited to students of one sex or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any racial, ethnic or religious group of students to participate in such programs, then such criteria must be abolished.

2.06 Nothing in these Regulations shall be construed so as to control the interpretation of or interfere with the implementation of Chapter 641 of the Acts of 1965, as amended by Chapter 636 of the Acts of 1974, providing for the elimination of racial imbalance in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

SCHOOL ADMISSIONS

ADMISSION TO COURSES

3.00 ADMISSION TO COURSES OF STUDY

3.01 Each and every course of study offered by a public school shall be open and available to students regardless of race, color, sex, religion or national origin. Nothing herein shall be construed to prohibit the use of prerequisite requirements that have been demonstrated to be essential to success in a given program. However, if participation in a course or program is dependent upon completion of a prerequisite which was previously limited to students of one sex, or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any class of students to participate in such prerequisites, then all members of the previously excluded group shall be given the opportunity to acquire the prerequisites or be allowed to enter the program without such prerequisites. If it cannot be shown that a prerequisite is essential for success in a given program, the prerequisite shall be abolished.

3.02 The determination of what courses or units of study are to be required of any student shall also be made without regard to the race, color, sex, national origin or religion of that student.

3.03 The scheduling of students into courses or units of study shall not be done on the basis of sex, color, race, religion or national origin.

3.04 Each student, regardless of race, color, sex, national origin, religion or limited English-speaking ability, shall have equal rights of access to courses of study and other opportunities available through the school system of the city or town in which he or she resides, along with appropriate bilingual instruction and programs or other curriculum offerings of a supportive nature such as appropriate remedial programs.

3.05 Nothing in section 3.00 shall be construed to prevent particular segments of a program of instruction from being offered separately to each sex when necessary in order to respect personal privacy.

4.00 GUIDANCE

4.01 Guidance Counsellors and other personnel shall represent to the students a broad spectrum of education and career opportunities. Race, color, sex, national origin and religion shall not be considered as limiting factors in career determination.

402. "Career Day" programs and other occupational information shall include representatives of both sexes and of minority group members in a broad variety of occupational roles. Schools shall not permit materials, including pictorial representations, to be used to recruit students for employment, including training, that contain a preference for individuals of a particular race, color, sex, religion or national origin. Any pictorial representation in such materials, in the aggregate, shall depict members of both sexes and of minority groups.

4.03 No materials or tests shall be employed for guidance purposes which discriminate and/or limit choices on the basis of race, color, sex, religion or national origin.

GUIDANCE

CURRICULA

5.00 CURRICULA

5.01 The curricula of all public school systems shall present in fair perspective the culture, history, activities and contributions of persons and groups of different races, nationalities, sexes and colors.

5.02 All school books, instructional and educational materials shall be reviewed for sex-role and minority group stereotyping. Appropriate activities, discussions and/or supplementary materials shall be used to counteract the stereotypes depicted in such materials.

5.03 School books, instructional and educational materials purchased after the date of these regulations shall, in the aggregate, include characterizations and situations which depict individuals of both sexes and of minority groups in a broad variety of positive roles.

5.04 Each school shall provide equal opportunity for physical education for all students. Goals, objectives and skill development standards, where used, shall neither be designated on the basis of sex, nor designed to have an adverse impact on members of either sex.

EXTRA-CURRICULAR ACTIVITIES

6.00 EXTRA-CURRICULAR ACTIVITIES

6.01 Advantages and privileges of public schools include all extra-curricular activities made available, sponsored or supervised by any public school. No school shall sponsor or participate in the organization of outside extra-curricular activities conducted at such school which restrict student participation on the basis of race, color, sex, religion or national origin. This regulation does not prohibit school committees from allowing use of school premises by independent groups with restrictive membership.

6.02 No student shall be denied the opportunity in any implied or explicit manner to participate in an extra-curricular activity because of the race, color, sex, religion or national origin of the student except as provided in section 6.07.

6.03 Because female participation in extra-curricular athletic activities is substantially less than male participation in such activities throughout the Commonwealth, no school shall take action which would tend to reduce the number of female participants in intramural and interscholastic athletic activities from that of the previous academic year, until such time as an equalization of male and female participation has been achieved.

6.04 Each school system shall provide a fair distribution of athletic expenditures. Each school within such system shall provide equal opportunity for male and female students to participate in intramural and interscholastic sports. Factors considered in determining equal opportunity shall include budgetary allocations, the proportion of male and female students in the student body, the number and nature of activities offered, levels of competition, equipment (including rate of replacement), supplies, awards, uniforms, facilities, scheduling of games and practice times, travel opportunities and allowances, opportunities to receive equitable coaching and instruction at each level of competition and the availability of services such as medical and insurance coverage, publicity, clerical and administrative staff, scouting services and audio-visual aids.

6.05 In developing its athletic program, a school shall be required to demonstrate good faith by taking into account determined student interest.

6.06 In order to insure fair distribution of athletic expenditures as defined in section 6.04, each school shall indicate in the budget that is reviewed by the school committee the anticipated expenditure for each interscholastic and intramural athletic activity and the anticipated student participation in that activity by number and sex.

6.07 A school may establish separate teams for males and females for interscholastic competition in a particular sport, provided that the requirements of section 6.08 are satisfied.

6.08 Teams comprised primarily or solely of persons of one sex shall be granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the opposite sex.

6.09 Participation in extra-curricular activities shall be actively encouraged by each school for both boys and girls and for racial and ethnic minorities. When offering extra-curricular programs, schools shall take into consideration the ethnic traditions of the student body. Criteria not related to skill levels which act to exclude members of one sex or of any racial, religious or ethnic group represented in the school from participation in specific athletic or other extra-curricular activities cannot be permitted.

7.00 FACILITIES

7.01 Every new school which is to be constructed and every addition to an existing school or program for modernization of an existing school shall be designed or planned so as to ensure that the educational opportunities to be offered within that school following its construction or expansion or reconstruction will be available equally to all students thereof without regard to the race, color, sex, religion or national origin of any such student.

7.02 The goal of each school shall be to provide equal numbers of males and females with those facilities and conveniences within a school which are separated for reasons of privacy, e.g., showers, locker rooms, changing rooms, toilets and lavatories. Any school to be constructed shall make such provision and any plan for the expansion or modernization of an existing school shall include whatever provision is necessary in order to achieve compliance with this section.

FACILITIES

8.00 ACTIVE EFFORTS

8.01 The school committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to insure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion or limited English-speaking ability, no matter how subtle or unintended, are removed. Such policies shall include a requirement for an annual evaluation of all aspects of the K–12 school program to insure that all students regardless of race, color, sex, religion or national origin are given an opportunity to develop skills, competence, and experience, and to receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extra-curricular activities. Special attention shall be given in this examination to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly underrepresented.

8.02 If participation in any school sponsored program or activity has previously been limited to students based on race, color, sex, national origin or religion, then the school committee shall make active efforts to insure that equal access to all school sponsored programs or activities be provided within the system.

8.03 It shall be the responsibility of the school committee and the superintendent to provide necessary information and in-service training for all school personnel in order to:

- advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion or national origin.
- enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior which may occur in the public schools.

8.04 The superintendent, as an agent of the school committee, shall promote and direct effective procedures for the full implementation of these regulations, and shall make recommendations to the committee for the necessary policies, program changes and budget resource allocations needed to achieve adherence to these regulations.

ACTIVE EFFORTS

8.05 At the beginning of the school year, the superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of Chapter 622 and its implications. Such notice shall include the information that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, color, sex, religion or national origin. This notice may be included with other communications sent to parents by the school system. Upon request, the Department of Education shall provide a translation in requested languages to assist superintendents in complying with this section. The superintendent shall inform the community of the existence of the law and of its implications through newspaper releases or radio or television announcements.

8.06 The superintendent shall ensure that all students are annually informed in a manner certain to reach them of the existence of Chapter 622 and its implications. Students shall be informed that all courses of study, extra-curricular activities, services, and facilities offered by the school are available without regard to race, color, sex, religion or national origin.

8.07 The superintendent of each school system shall make certain that employers who recruit new employees in and through the schools of that district, do not discriminate on account of race, color, sex, religion or national origin in their hiring and recruitment practices within the schools. Before any employer is allowed to recruit at or through any school, the employer shall be required to sign a statement that he/she does not discriminate in hiring or employment practices on account of race, color, sex, religion or national origin.

8.08 Since adults serve as role models for students, school authorities shall utilize adults in a variety of jobs, and as members of policy making committees, to the extent consistent with their contractual obligations, without regard to race, color, sex, religion or national origin.

8.09 Adults serving on athletic regulatory boards shall fairly represent the interest of both male and female students.

8.10 Because selective secondary schools have had atypical student bodies in the past, such selective secondary schools, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, shall admit qualified applicants of each sex and racial and ethnic groups in numbers proportionate to the existence of members of such class in the secondary school population of the geographic area served by that school. After the period for application to the school has closed, if it is found that qualified applicants of one of the above classes have not applied in numbers sufficient to maintain this proportion, qualified students of the other categories may be selected to fill the remaining openings.

8.11 Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school made after the effective date of these Regulations by any person, group or organization shall be free from any restrictions based upon race, color, sex, religion or national origin.

8.12 The opportunity to receive guidance and counselling in a student's primary language should be made available to students from homes where English is not the primary language spoken.

9.00 COMPLAINT PROCEDURE

9.01 A parent, guardian or other person or group who believes that c. 76, s. 5 of the General Laws or these Regulations has been or is being violated, may request a written statement of the reasons therefor from the responsible School Committee through the superintendent and may submit a copy of such request to the Bureau of Equal Educational Opportunity of the Department of Education. If such request is made, a copy of such request shall be sent by the School Committee to the Bureau of Equal Educational Opportunity.

9.02 The School Committee shall respond promptly, but no later than 30 days, in writing to the complaining party. The School Committee shall also send a copy of its response to the Bureau of Equal Educational Opportunity.

9.03 The Bureau of Equal Educational Opportunity shall act as the representative of the Board of Education for the purpose of receiving complaints pursuant to these Regulations.

9.04 The Bureau of Equal Educational Opportunity shall, pursuant to a complaint received under section 9.01 or on its own initiative, conduct reviews to insure compliance with c. 76, s. 5 and these Regulations. The School Committee and the specific school(s) involved shall cooperate to the fullest extent with such review.

9.05 In the event of non-compliance with Chapter 76, s. 5 or these Regulations, the Board of Education may take such action as it sees fit, including, but not limited to, withholding of funds or referral of the matter to the Office of the Attorney General for appropriate legal action.

COMPLAINT PROCEDURE

PRIVATE RIGHT OF ENFORCEMENT

10.00 PRIVATE RIGHT OF ENFORCEMENT

10.01 Nothing in these Regulations shall abridge or in any way limit the right of a parent, guardian or person affected to seek enforcement of Chapter 622 of the Acts of 1971 in any court or administrative agency of competent jurisdiction.

SAMPLE NOTIFICATION TO PARENTS (CONCERNING THE EXISTENCE OF CHAPTER 622 AND ITS IMPLICATIONS) FOR USE BY SUPERINTENDENTS IN COMPLYING WITH REGULATION 8.05 UNDER CHAPTER 622 OF THE ACTS OF 1971*

Dear Parent:

An important piece of legislation affecting the public schools was passed in August, 1971. This law, Chapter 622 of the General Laws, Acts of 1971, is referred to as "An Act to Prohibit Discrimination in the Public Schools." The law reads as follows:

> No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.

This law makes it clear that all aspects of public school education must be fully open and available to members of both sexes and of minority groups. No school may exclude a child from any course, activity, service or resource available in that public school on account of race, color, sex, religion or national origin of such child.

On June 24, 1975 the state Board of Education approved regulations for Chapter 622. These regulations address five areas of school policy: school admissions, admission to courses of study, guidance, course content and extra-curricular and athletic activities.

If you have any questions or concerns regarding Chapter 622 and how it affects your children, please do not hesitate to contact your local principal or my office. Copies of the law and the regulations can be obtained from the Bureau of Equal Educational Opportunity, 182 Tremont Street, Boston, Massachusetts 02111 (727-5880).

* *Note to Superintendents: In accordance with regulation 8.05, this notice may be included with other communications sent to parents by your school system.*

SAMPLE ASSURANCE FORM FOR USE BY SUPERINTENDENTS IN COMPLYING WITH REGULATION 8.07 UNDER CHAPTER 622 OF THE ACTS OF 1971

Assurance of Compliance with Commonwealth of Massachusetts Regulations under Chapter 622 of the Acts of 1971 for Employers Recruiting at or through Any Public School

_____ hereby affirms
(Name of Employer Organization)

that it is in compliance with Chapter 622 of the Acts of 1971 and all requirements imposed by or pursuant to the Regulations issued by the Board of Education, in that _____
(Name of Employer Organization)

does not discriminate in recruitment, hiring or employment practices on account of race, color, sex, religion or national origin.

_____ Dated _____
(Employer Organization)

_____ By _____
(Signature of Authorized Official)

_____ _____
(Mailing Address and Zip Code) (Typed Name of Authorized Official)

MASSACHUSETTS DEPARTMENT OF EDUCATION

DIVISION OF OCCUPATIONAL EDUCATION

MEMORANDUM

TO: Superintendents, Superintendent-Directors, Directors

DATE: September 9, 1974

FROM John P. Manning, Associate Commissioner JPM.

SUBJECT: Chapter 622 Policy Statement on Regional and Area Vocational-Technical Schools for FY 1975

The Massachusetts Department of Education has continuously recognized the need, development, and support for Regional and Area Vocational-Technical Schools in the Commonwealth. Regional and Area Vocational-Technical Schools have constantly provided quality services to the students of Massachusetts. Their innovative programs in vocational education have served as models for those attempting to prepare students for the "world of work." With the implementation of Chapter 622 in September 1974, Regional and Area Vocational-Technical Schools will be asked again to spearhead the development of even greater innovative vocational programs. The importance of this role cannot be overemphasized. Evidence dictates that the difference between a life of productivity versus a life of hardship will be the quality of vocational opportunities women and minority students receive during their school years.

The Department of Education realizes that Regional and Area Vocational-Technical Schools have the obligations to promote the development and incorporation of meaningful vocational programs for women and minority students. As the initial step in meeting this obligation, the Division issues the following guidelines to enable Regional and Area Vocational-Technical Schools to implement Chapter 622: Equal Educational Opportunities, Employment, and Training for Women and Minorities.

JPM/RM/Hy-5

1. It is essential that Vocational Educators develop an awareness of the individual in the educational milieu throughout life regarding attitudes which tend to sex-label occupations. When specific clusters of occupations are studied, neither should be automatically excluded.

2. It is essential that students of all ages be helped to discover their abilities, interests, and talents as individuals rather than comformants to sex-stereo-typing.

3. It is important that education throughout life provide units of study that give attention to those forces combining work and leisure through life's cyclical changes. Education must attempt to emphasize every possible job and career change throughout one's life.

4. It is essential that Vocational Educators seek to provide job analyses that de-emphasize sex linked attributes and emphasize actual competencies needed.

5. It is important that Vocational counselling and training of women be emphasized so that a greater number of women shall have access to the trade skills and other occupations ordinarily provided for men only.

6. It is highly desirable that more women and minorities be recruited for teaching and administration in all areas of Vocational Education.

7. It is essential that the whole range of curriculum materials regardless of the grade or age level depict women and men participating in all types of work.

8. It is essential for role model viewing that courses <u>in vocational schools especially</u> emphasize the ubiquitous contribution of women to civilization and its culture.

9. It is important that feminist literature which relates to employment, work, careers, and other such significant areas be given equal status in school libraries.

10. It is important that all areas of cooperative education such as work study programs, summer programs, and other job placement programs insist upon equal opportunity in employment by either written agreements or contracts with both schools and potential employers.

11. It is essential that all sex-stereotyping be eliminated from school clubs, school teams, school publications, and other extra-curricular activities.

12. It is important that facilities in Vocational Education and related studies be planned and developed so as to eliminate sex discrimination while promoting equality of opportunity in work.

13. It is most essential that public relations in regard to Vocational Education stress the availability of non-sex stereotyping programs for male and female students throughout the system.

14. Vocational Administrators are urged to provide an official policy for their schools that establishes equal educational work and employment opportunities

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